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The purpose of this body of work is to explain the development of revolutionary ideology at the regional level, utilizing the backcountry counties of North Carolina from the earliest migration of white settlers through the ratification of the Federal Constitution in 1788. The North Carolina backcountry offers an important case study for the regional development of Revolutionary activity and ideology for a number of reasons. The backcountry was a region in its political, social, and economic infancy. As the region developed, so did the Revolution itself.

This work will not define a single political ideology or theme, rather it traces the day to day interactions that backcountry inhabitants of all ethnicities had with those in power at the local, colonial, and later federal level. This work concludes that what pushed inhabitants to support, or oppose the Revolution, was grounded in local issues regarding land ownership, and political and social control within the region itself. The North Carolina backcountry began building a society that worked for their interests in the 1760's and that goal was achieved in the establishment of the Federal Government in 1788.

THE AFFAIRS OF BOSTON IN THE NORTH CAROLINA BACKCOUNTRY
DURING THE AMERICAN REVOLUTION

by

Cory Joe Stewart

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Approved by

Robert M. Calhoon
Committee Chair

To those who started me down this road,

J.D. Willard

Mike Lowe

Lowanda Badget

Tim Creed

Gayle Garris

Conrad Holcomb

Joe Maye

Chris Yopp

Douglas Reinhardt

“Oz” Prim

APPROVAL PAGE

This dissertation has been approved by the following committee of the Faculty of
The Graduate School at the University of North Carolina at Greensboro.

Committee Chair _____
Robert M. Calhoon

Committee Members _____
Phyllis W. Hunter

Watson Jennison

James P. Whittenburg

June 18, 2010
Date of Acceptance by Committee

June 18, 2010
Date of Final Oral Examination

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INTRODUCTION

In the second half of the eighteenth century settlers flocked into the North Carolina backcountry to take advantage of the opportunities the region created to reshape their lives. In doing so they protested, petitioned, voted and fought to create a government and society that represented their interests. What happened during this period in the North Carolina backcountry was a civil war, a struggle for racial superiority, a social movement, an ideological struggle, and in the grand scheme was a small part of the American revolutionary period. This work is the story of that process.

The question that dominates the historiography of the American Revolution is why? Why did the American colonists revolt against the British Crown and seek to form their own government, and why did they create the kind of government and social structure they did? The purpose of this work is to explore the revolutionary period at the local level in the North Carolina Backcountry from the origins of the Revolution to the ratification of the Constitution.¹ This work does not seek to define or trace a single political ideology rather it focuses on the individuals who created the political culture in the backcountry and the day to day interactions that backcountry inhabitants had with those who held power in the local, provincial, and later state and federal governments.

¹ For this work “Revolutionary period” is defined as being the earliest settlement in the region through the ratification of the Federal Constitution.

This work explains why the inhabitants in the North Carolina backcountry joined or opposed the Revolution. This study also illustrates how the national debate over the ratification of the Constitution was still grounded in similar local interests. When backcountry inhabitants delivered themselves over to federal authority under the new Constitution, they did so with the certainty that the federal government would only strengthen their power and interests within the region.

In much of the earlier literature on the Revolution historians traditionally focused on the intent of celebrating the elite white males of the colonies, collectively known as “the founders.” By focusing on the elite, historians conclude that the origins of the Revolution are found in a European intellectual movement that carried over into the American Colonies through American literary culture, which gave Americans the knowledge and rhetoric of “political opposition.” Historians also note that the Revolution sprang out of the slow erosion of monarchical power that took place throughout western civilization. According to Gordon Wood this drastic ideological change created an egalitarian utopia in the form of a democratic-republic. Joseph Ellis has argued that the Revolution was created by a generation of great political minds that took advantage of the lack of social and political bounds in the American colonies and broke free of Britain’s domination and the European ideas of social hierarchy. Ellis refers to this generation as “the founding brothers.” Ellis justifies this interpretation by arguing that

the origins of the American Revolution could not be found among “marginal or peripheral figures, whose lives were more typical.”²

The problem with this approach is it simply leaves too many people out, those folks who were “marginal or peripheral.” In fact, it leaves out entire regions, including the southern backcountry. Recently, historians have broadened the focus both geographically and socially and argue that by focusing on the “marginal and peripheral” figures, we can gain a more complex and accurate understanding of the events leading up to the Revolution, as well as the Revolution itself. By doing so we can see what Gary Nash refers to as the “many sided struggle to reinvent America.”³

In 2004, Jeffery Pasley, Andrew Robertson, and David Waldstreicher edited a collection of essays that encouraged historians to look beyond the elite and gain a better understanding of the New Republic. *Beyond the Founders* illustrates how issues of region, class, gender and race played a significant role in the conflict surrounding the ratification of the federal Constitution. Woody Holton also explores the “marginal and peripheral” and the origins of the Constitution in his work, *Unruly Americans and the Origins of the Constitution*. In this work, Holton illustrates how it was distrust of the

² Bernard Bailyn, *The Ideological Origins of the American Revolution* (Cambridge: Harvard University Press, 1967) ix-xvi. Baiyln argued that the origins of the American Revolution were found in an intellectual movement circulated through pamphlets that express the intellectual movement that began in Europe in the seventeenth century, and not conflict among social groups. By Baiylin’s own admission this a “rather old-fashioned” interpretation. Gordon S. Wood also focuses on a top down approach in his work, *The Radicalism of the American Revolution* (New York: Alfred A. Knopf, 1991) 3-8, 95-97; Joseph Ellis, *Founding Brothers: The Revolutionary Generation* (New York: Alfred Knopf, 2000) 3-19.

³ Gary B. Nash, *The Unknown American Revolution: The Unruly Birth of Democracy and the Struggle to Create America* (New York: Viking Press, 2005) 1; Jeffery Pasley, Andrew W. Robertson, and David Waldstreicher, eds. *Beyond the Founders: New Approaches to the Political History of the Early American Republic* (Chapel Hill: The University of North Carolina Press, 2004) 2.

masses that led “the founders” to consolidate power under the Constitution.⁴ By looking at the variety of experiences in the New Republic, egalitarian society espoused by Gordon Wood and Joseph Ellis begins to break down.

Regional focus and local issues leading to independence is a dominant theme in the work of social historians. Robert Gross pointed out in his work, *The Minutemen and Their World*, that the inhabitants of Lexington and Concord were driven to embrace the Revolution due to economic issues in an attempt to preserve traditional community life. Historian Woody Holton sees the origins of revolt in the conflicts that arose between the colonial governments and colonists in regards to settling western lands. After establishing the Proclamation Line in 1763, the British Government made any land claim in the west null and void. Angered Virginia gentry saw a government concerned with the interest of Native Americans over the interest of its subjects. Holton shows us how issues such as these make the marginal debtors and Native Americas a driving force towards revolutionary ideology.⁵

The North Carolina backcountry offers an important case study for the regional development of Revolutionary activity and ideology for a number of reasons. The backcountry was a region in its political, social, and economic infancy. This theme is common among frontier studies, though not all overlap with the Revolution. Historian

⁴ Pasley, *Beyond the Founders: New Approaches to the Political History of the Early American Republic*, 2; Woody Holton, *Unruly Americans and the Origins of the Constitution* (New York: Hill and Wang, 2007).

⁵ Robert A. Gross, *The Minutemen and Their World* (New York: Hill and Wang, 1976); Woody Holton, *Forced Founders: Indians, Debtors, Slaves, & the Making of the American Revolution in Virginia* (Chapel Hill: The University of North Carolina Press, 1999).

Lynn Nelson has argued that the lack of an established and recognized elite created the conflicts that define backcountry political culture. The North Carolina backcountry was developing at the same time that the revolutionary period was beginning. As America was reforming itself at the national level throughout the Revolution, the North Carolina backcountry was forming itself for the first time.⁶

Furthermore the region was largely made up of the marginal and peripheral figures that Joseph Ellis disregarded. The elite of the backcountry would only be the elite in the backcountry. Their property holdings and overall economic standing would not classify them as elite anywhere else in the colonies. This is particularly true in North Carolina where most of the wealth and political power was centered in the eastern seaboard counties. The backcountry was void of an elite as extensive numbers of settlers came into the region which allowed for a quick rise and possible fall for individuals.⁷

With the exception of the period surrounding the Regulation, the North Carolina backcountry during the late eighteenth-century remains largely unexplored. Studies of the southern backcountry have focused on Virginia and South Carolina. These works have argued that the inhabitants of the Virginia and South Carolina backcountry were connected with the elite and the political power of the tidewater regions. The elite in the Virginia backcountry maintained strong connections with the eastern leadership in the

⁶ Gregory Nobles points out that even though the famous thesis of Frederick Jackson Turner is largely discredited by current historians, the process of “recurring rebirth” is a common thread among current historians that is borrowed from Turner. For a full analysis on this historiography see, Gregory H. Nobles, “Breaking into the Backcountry: New Approaches to the Early American Frontier, 1750-1800,” *The William and Mary Quarterly*, Vol. 36, No. 4 (October, 1989), 641-642; Lynn A. Nelson, “Historiographical Conversations about the Backcountry: Politics,” *Journal of Backcountry Studies* II, No. 2 (Fall 2007), 10.

⁷ For an analysis on the political structure of North Carolina prior to the American Revolution see, Bradford J. Wood, “Politics and Authority in Colonial North Carolina: A Regional Perspective,” *The North Carolina Historical Review* LXXXI, No. 1 (January 2004), 1-37.

colony. This connection was carefully fostered by the political leaders in the east as well in order to extend the power of the colony, and later the state, into the west. South Carolina was also more unified with its backcountry in order to maintain the institution of slavery throughout the colony.⁸

Despite the tendencies to lump the southern backcountry together as one cohesive region the history of the North Carolina backcountry differed from patterns in the Virginia and South Carolina backcountries. The inhabitants of the North Carolina backcountry were neither unified, nor completely culturally or politically connected to North Carolina's eastern elite. This disconnection was partly due to settlement patterns and North Carolina geography. Settlers in the North Carolina backcountry did not come from the colony's coastal region as they did in Virginia and South Carolina; therefore, the connections in Virginia described by Virginia case studies did not exist in North Carolina. Also, unlike South Carolina, North Carolina was poorly connected from east to

⁸ Marjolene Kars, *Breaking Loose Together: The Regulator Rebellion in Pre-Revolutionary North Carolina* (Chapel Hill: The University of North Carolina Press, 2002); James P. Whittenburg, "Planters, Merchants, and Lawyers: Social Change and the Origins of the North Carolina Regulation" *The William and Mary Quarterly*, Vol. 34 (April 1977); Richard R. Beeman, "The Unsettling Political Cultures of the Backcountry: The Southern Backcountry" from *The Varieties of Political Experience in Eighteenth-Century America* (Philadelphia: University of Pennsylvania Press, 2004). Rachel Klein has argued that the link that held the South Carolina backcountry and the and the tidewater together was the effort to maintain slavery, despite the regional differences. *Unification of a Slave State: The Rise of the Planter Class in the South Carolina Backcountry, 1760-1808* (Chapel Hill: The University of North Carolina Press, 1990). George Lloyd Johnson, Jr. *The Frontier in the Colonial South: South Carolina Backcountry, 1736-1800* (Welpport, Connecticut: Greenwood Press, 1997). Albert Tillson has argued in his work *Gentry and Common Folk: Political Culture on a Virginia Frontier, 1740-1789* (Lexington, The University Press of Kentucky, 1991), that the Virginia backcountry was dominated by a small elite group which maintained cultural connections to the eastern portions of the colony. It was these ties with the east that provided these backcountry leaders with wealth and political power. More recently L. Scott Philyaw has added to Tillson's interpretation by stating that not only were there cultural connections between the elites of the two regions, but that the eastern elite of Virginia worked hard to preserve political power over the settlers within the backcountry. For more on this see L. Scott Philyaw, *Virginia's Western Visions: Political and Cultural Expansion on an Early American Frontier* (Knoxville: The University of Tennessee Press, 2004); see also Christopher E. Hendricks, *The Backcountry Towns of Colonial Virginia* (Knoxville: The University of Tennessee Press, 2006).

west with notoriously bad roads and no westward flowing rivers. This divide allowed a separate society to develop. As Johanna Miller Lewis noted the colony of North Carolina was really two colonies in one.⁹

The backcountry also falls victim to the frontier myth in the early historiography in which historians made little effort to explain the culture of the backcountry often dismissing it as just being a result of being on the frontier. Historian Jethro Rumble described the region as being full of “liberty-loving people,” and later the inhabitants of what would become Tennessee were described as “militant individualism” and an independent spirit that “bordered of fierceness.” These exaggerated statements are not only stereotypical, they also provide no insight into the political culture of these regions.¹⁰

Defining the region known as the backcountry can be difficult because the backcountry itself was always changing. As a region became more settled, it began to resemble the regions the settlers originated from and eventually ceases to be a backcountry. Also, we must be careful not to use the terms backcountry and frontier interchangeably. Frontier is an abstract term that represents an area people are moving towards, or a “zone between variable cultures,” as ethno-historians have phrased it. The

⁹ Johanna Miller Lewis, *Artisans in the North Carolina Backcountry* (Lexington: The University Press of Kentucky, 1995).

¹⁰ Jethro Rumble, *A History of Rowan County North Carolina: Containing Sketches of Prominent Families and Distinguished Men* (Salisbury: J.J. Brunner Publisher, 1881) 89; Samuel Cole Williams, *Tennessee During the Revolutionary War* (Knoxville: The University of Tennessee Press, 1944) 12.

backcountry is an idea (as all geographic borders are), but it is also a place in which one culture, the culture of white settlers, dominated.¹¹

The main focus of this work is Rowan and Surry County, North Carolina which evolved from a frontier to a backcountry in the same time frame that the colonies transformed into independent republican states. Due to the dynamic nature of the backcountry, this work is not completely confined to the borders of these counties. During this time of rapid change, these counties divided into other counties. Instead of remaining within those geographic borders, this work will follow the people and their interests spanning from the original two counties of Surry and Rowan, to numerous counties in western North Carolina and what would become Tennessee, all the way into what is now present day Kentucky.

This study begins in 1753 when Rowan County was established to accommodate the massive wave of settlers coming into the region from the northern colonies via the Shenandoah Valley. As the population of Rowan County grew and became too large to function effectively, Surry County was formed in 1771 at the request of the backcountry inhabitants who saw the formation of a new county beneficial to their local interest, and

¹¹ The process of regional development from a frontier, to backcountry, to society has been the framework for many studies of the frontier. See Carl Bridenbaugh, *Myths and Realities: Societies of the Colonial South* (New York: Atheneum Press, 1963), 7; Edward J. Cashin, *Lachlan McGillivray, Indian Trader: The Shaping of the Southern Colonial Frontier* (Athens: University of Georgia Press, 1992), 1-2; Ellen Eslinger, *Citizens of Zion: The Social Origins of Camp Meeting Revivalism* (Knoxville: The University of Tennessee Press, 1999), xii; Eric Hinderaker and Peter C. Mancall, *At the Edge of Empire: The Backcountry in British North America* (Baltimore: John Hopkins University Press, 2003), 8-11; Johnson, *The Frontier in the Colonial South, 1736-1800*; Richard White, *The Middle Ground: Indians, Empires, and Republics in the Great Lakes Region, 1650-1815* (New York: Cambridge University Press, 1991), ix-xvi.

consolidation of local power. It was this simple act of petitioning that began the backcountry's process of forming a new society to suit the interests of the inhabitants. Petitions for support and the establishment of political offices also connected the backcountry settlers to the ruling elite in the east; however, it simultaneously created a divide as more often than not these requests were not answered in a manner satisfactory to the backcountry inhabitants. As a result regional identity began to form within region that they were separate from the rest of the colony, this ideology was shared by their contemporaries in the east. Regional identity played a key role in shaping the political culture of the region since settlers saw their political and social standing in opposition to that of their counterparts in the eastern portion of the colony.¹²

As a counter measure to the diminished standing that backcountry settlers felt in comparison to their eastern counterparts, the political ideology of localism began to dominate the region. Within this climate a backcountry elite began to form in a number of ways. Land ownership was a quick way to climb the backcountry social ladder. Connecting oneself with land barons from outside the region allowed individuals to use the political power in the east or even in England for economic and political advancement.

Those who were connected with power in the east, or abroad were soon challenged by those seeking control within the region and the volatile political atmosphere inevitably led to conflicts, the most dramatic of which was the Regulator

¹² David Leroy Corbitt, *The Formation of North Carolina Counties: 1663-1943* (Raleigh: State Department of Archives and History, 1950), 185-187, 199-205.

movement, sometimes known simply as the Regulation. The Regulation was a climactic moment in back inhabitants' efforts to build a new society as individuals on both sides of the conflict worked to control the political culture in the region.

The backcountry was in no way unified during the Regulation as many settlers saw it as a violent threat to any stability they had been able to achieve in the growing region. A majority of the leadership of Rowan County and the newly created Surry County served as Anti-Regulators. The Regulation provided settlers with an opportunity for advancement through military service and to win the favor of the colonial governor. Those who emerged victorious in that struggle dominated the political culture for the years to come.

As the region matured politically it grew economically as trade connections in Virginia and as far away as Charleston, South Carolina became more solidified, while trade and economic ties with the eastern ruling elite of North Carolina remained limited. Because of Rowan County's economic center at Salisbury and larger trade network, Rowan embraced the Revolution and began following the leadership of the Continental Congress in August of 1774. The Revolution presented an opportunity to individuals to advance their social and economic standing in the region, in much the same way the Regulation did. By serving on committees of safety, ambitious businessmen were able to control business and trade throughout the region and another struggle for local control began. This struggle for local control, coupled with an already unstable political environment turn the War for Independence into a civil war in the North Carolina backcountry.

Maintaining local power was the central focus in the debate over the ratification of the Constitution in western North Carolina. Previous works on the ratification of the Constitution in the backcountry have argued that the northern and southern backcountry had evenly divided in pro-ratification south, and anti-ratification north. This analysis over simplifies the political culture of the backcountry. The backcountry elite worked very hard to establish themselves in power in the region, and they were hesitant to give that power up. Those in the region who were directly involved with trade generally supported the Constitution. Ratification also represented social change in the backcountry which brought about a political revolution in the backcountry as a new generation of political figures entered the political arena. Unlike the generation that began vying for power in the 1760s, this newer generation saw their local interests being protected by a strong federal government.¹³

The presence of Native Americans was another significant factor in determining the political culture of the region, as backcountry settlers struggled to achieve political stability, they also fought to achieve racial superiority. To the Native Americans in the region, the massive influx of white settlers that began in the 1750's was nothing short of an invasion. The two main tribes in the region were the Catawba Indians and the Cherokee. The settlers arrived at a very desperate time for the Catawbans who were struggling to survive in a region plagued by drought and disease. With the arrival of the

¹³ Mary M. Schweitzer, "The Ratification Paradox in the Great Valley of the Appalachians," from Eliga H. Gould and Peter S. Onuf eds, *Empire and Nation: The American Revolution in the Atlantic World* (Baltimore: The John Hopkins University Press, 2005), 116.

settlers came an opportunity for the Catawba to benefit from the new settlers and the goods and resources they brought with them. The Catawba became the greatest ally to white settlement in the region. The Cherokee on the other hand resisted the encroachment of white settlers and fought to maintain their land holdings. The Cherokee resistance and the Catawba's effort at assimilation for survival altered the historical courses of the tribes.

It would also affect the historical course of the white settlers as Native Americans often became an area of contention between backcountry settlers and the leadership in the eastern counties. Settlers appealed to colonial authority for help with Native Americans; however, colonial leaders in the east rarely grasped the severity of the matter or responded in a way that was satisfactory to the backcountry. Many settlers also found themselves on the wrong side of Colonial authority as they settled beyond the agreed Proclamation Line of 1763. Leaving many settlers to believe their government was taking the side of the Indians over themselves.

The presence of the Cherokee played a pivotal role in creating revolutionary ideology in the backcountry as fear of an organized invasion from the Cherokees permeated the region, leading many individuals with no particular political ideology to show up for militia service. Leadership in these campaigns could elevate any individual's social and political standing, and scalp bounties could provide financial profit to those involved.¹⁴ Once the Revolutionary government was put in place, British

¹⁴ Kars, *Breaking Loose Together*, 195; Alan D. Watson, "The Committees of Safety and the Coming of the American Revolution in North Carolina, 1774-1776," 142, 153; Report of the Committee of Public Claims, Held at New Bern, on Thursday The 1st Day at May A.D. 1760, Walter Clark, ed. *State Records of North Carolina* (Wilmington, N.C: Broadfoot Publishing Company, 1994), 22:822-823 hereinafter cited as *State*

imposed restrictions on settlement west of the Proclamation Line were lifted, and the war against the Cherokee became a race war with the goal of extermination. With the loss of British support, the Native Americans in the region were now left to the mercy of frontier settlers who were renewing the process of creating a society in a developing region, and a major part of that process was bringing the indigenous populations into submission. Millions of acres of former Cherokee land was made available, the Revolutionary War provided new investment opportunities for ambitious would-be land barons of the backcountry and created a new frontier to settle and from which to profit.

These new lands would be the central focus during the ratification of the Constitution. Both white settlers and the Cherokee grew tired of negotiating with state governments that had little real authority in the west. Tennesseans knew that if the Constitution was ratified a separate state would be made of their region centralizing power at the local level. The Cherokee Indians felt that the creation of a federal government would benefit them by giving them one governing body to negotiate with and turn to when local settlers created problems. Prior to this the Cherokee had made treaties with the various states, which could do little to control settlers so far away from the seat of government. Additionally negotiating with settlers was often futile, and by the late 1780s, become too dangerous for the Cherokee to even attempt and Cherokee land holdings gradually eroded away throughout the early national period.

Records; "An act for Granting Aid to His Majesty, 1760," *State Records*, 23:517; John L. Cheney, ed. *North Carolina Government 1585-1979: A Narrative and Statistical History* (Raleigh: North Carolina Department of the Secretary of State, 1981), 45-46.

All inhabitants of the North Carolina backcountry saw an opportunity to create a society that benefitted them in the latter half of the eighteenth century. Whether they were land speculators, yeoman farmers, Cherokee or Catawba Indians, the revolutionary period was a time of great change. The transitioning from a frontier to a backcountry coincided with the creation of the new American nation.

This dissertation is about that process and about the people that took part in it. As mentioned before, this work does not define a political ideology, but rather traces the day to day development and expression of political culture. Whenever possible, quotes are used and are unchanged from their original spelling, to allow these “marginal and peripheral” people to speak for themselves. They never speak of political ideology, but they do express their hopes, fears and frustrations with the changing world around them. In this work, the voices of all individuals are treated equally because loyalists and patriots were all part of the same political culture. White settlers saw the American Revolution as a way of gaining control of their own lives, as did the Cherokee who fought against them. Unfortunately, the voices of the enslaved are silent in this work. The records from the backcountry that focus on enslaved blacks only illustrate the social standing of their owner. Despite this fact, the concerns regarding these people does play a part in shaping political culture, though still marginal, they are here.

By listening to the voices of such a diverse group, we see the dynamic nature of the region and the effect that development had on the creation of political culture. We also see how republican ideology developed on a regional and not a national basis and shed light on what led individuals who lived nearly 1000 miles from Boston

Massachusetts, and over 4000 miles from London decide whether to “side with the King or with Boston.”

CHAPTER I
“INFANT SETTLEMENTS OF THE BACK FRONTIERS.” THE SETTLEMENT AND
POLITICAL DEVELOPMENT OF THE NORTH CAROLINA BACKCOUNTRY
1750-1774

In mid-April 1771, a fuming John Armstrong returned home from a meeting with the royal governor of North Carolina in New Bern. He had traveled over 200 miles in hopes of winning the governor’s support in establishing the courthouse for a new county on his family’s property. Before returning to his home, Armstrong stopped in the town of Bethabara, at that time located in Rowan County; however, within a few weeks, the town would be located in the newly formed Surry County. While at Bethabara, he acquainted residents with news regarding the Regulator movement¹, which was reaching the point of crisis by 1771. From New Bern, he also brought with him a copy of the Act of Assembly that created Surry County. The act made it clear that the General Court for the new county was to be held “constantly” at the home of Gideon Wright, a political rival of the Armstrong family. Armstrong was too late in reaching the Governor to get the charter for his family.²

¹ The Regulator Movement was an agrarian based rebellion against local authority in the North Carolina backcountry spanning from 1766-1771. The movement will be discussed in full detail later in this chapter.

² Bethabara Diary, January 20, March 8-9, 1771, Adelaide Fries ed., *Records of the Moravians in North Carolina* (Raleigh: Department of Archives and History, 1926), I:451-452. Hereinafter cited as *Records of the Moravians*.

The debate over the location of the courthouse created a bitter political rivalry in the backcountry that would span the entire revolutionary period. The dynamic nature of backcountry society which provided the foundation of the courthouse debate also serves as an example of the conflict and instability that characterized the political culture in the North Carolina backcountry throughout the revolutionary period. As the revolutionary era changed the North American colonies politically, socially and economically, the backcountry counties of North Carolina continued to form, both physically and politically. White settlers coming into the region worked hard to establish their place in a society still in its infancy. This process of creating a society produced conflicts within the counties and the colony as a whole. What began as petitions and complaints quickly turned to violence during a period of massive upheaval in the region known as the Regulation or Regulator Movement. These conflicts left the region divided politically and socially.

At the same time, the lives of the indigenous peoples of the region were also thrown into a state of upheaval which necessitated readjustment to a changing environment. How these individuals dealt with these changes would alter their historic courses. The Cherokee Indians resisted the invasion of white settlers, which not only put their lives at risk, but also gave white settlers the opportunity to advance themselves through warfare in the developing society. The Catawba Indians, through drought, disease, and direct proximity to the white settlers, found benefit not in resistance but in attempts to work within a changing world.

Settling the Backcountry

The North Carolina backcountry was a region in near constant change during the revolutionary era. In 1760, the political borders of the region consisted of four counties and the western portions of a fifth. By the onset of the Revolutionary war five more were established, and by the end of the war twelve counties made up the region.³ As counties became more developed they became more connected to political and economic power in the east, and would cease to resemble the region identified as backcountry. The dynamic nature of the region makes defining the physical scope of any backcountry study like hitting a moving target. Typically, the backcountry of North Carolina is defined as the area that stretches from the fall line, near what is now Raleigh, to the Smokey Mountains. This study focuses on two North Carolina backcountry counties which lie in this expanse of land; Rowan and Surry County.

³ Corbitt, *The Formation of North Carolina Counties 1663-1943*.



Map1. Map of North Carolina at the Beginning of 1775 from, David LeRoy Corbitt, *The Formation of North Carolina Counties 1663-1943* (Raleigh: State Department of Archives and History, 1950). This map shows the Northwest area of North Carolina after Surry County was formed in 1771.

A Divided Colony

Eighteenth century inhabitants of the backcountry also identified the region as being separate from the rest of the colony and sectionalism has been a major focus of North Carolina historiography. The most important factor in creating a regional divide was that settlers were not coming from the eastern portion of the colony to the backcountry; rather they were coming from other northern colonies into the region. White migration into the North Carolina backcountry began as early as the 1740's when hunters and traders moved into the region west of the Yadkin River; however, migration was still minimal. It is estimated that by 1745, the population of the backcountry still numbered only in the hundreds. In the decades that followed, thousands of settlers followed the valley of Virginia from the northern colonies, particularly Pennsylvania, crossed the Dan River into North Carolina and settled along the Yadkin River. These

settlers followed “The Grand Road” which connected Philadelphia to the Yadkin River at a distance of 435 miles. One Virginia minister noted that between January and October of 1755 as many as five thousand settlers crossed the James River in Virginia headed for the North Carolina backcountry. That same year Herman Husband wrote that “men out of the Pennsylvania and Jersey governments” had settled the land in North Carolina “near the mountains.” North Carolina colonial officials also made note of the massive influx of settlers to the backcountry. In 1750, colonial governor Gabriel Johnson reported that the immigrants all “go backwards” into the interior. By the 1760s, North Carolina’s population was estimated at 200,000 and was the fastest growing colony in America.⁴

Migration from other colonies created a cultural divide between the coastal counties and the backcountry counties evident in the attitudes of easterners toward the backcountry. Colonial leaders used a variety of terms such as “our back settlers,” “frontier,” “back settlements,” and “western inhabitants” interchangeably when referring to the people and the region. These terms stress eastern elites’ ideas that the backcountry was a separate region, and that its people were not only physically separated from them

⁴ The title of “The Grand Road” was noted on the Fry and Jefferson Map of Virginia, Bridenbaugh, *Myths and Realities*, 121; A. Roger Ekirch, “*Poor Carolina*” *Politics and Society in Colonial North Carolina, 1729-1776* (Chapel Hill: University of North Carolina Press, 1981), 9, 129; A. Roger Ekirch, “A New Government of Liberty”: Herman Husband’s Vision of Backcountry North Carolina, 1755,” *The William and Mary Quarterly* Vol. 34, No. 4 (October 1977), 644; Robert L. Ganyard, *The Emergence of North Carolina’s Revolutionary State Government* (Raleigh: North Carolina Department of Archives and History, 1978), 1; Harry Roy Merrens, *Colonial North Carolina in the Eighteenth Century: A Study in Historical Geography* (Chapel Hill: University of North Carolina Press, 1964), 54, 66-67; William Powell, *North Carolina Through Four Centuries* (Chapel Hill: The University of North Carolina Press, 1989), 572; Robert W. Ramsey, *Carolina Cradle: Settlement of the Northwest Carolina Frontier, 1747-1762* (Chapel Hill: University of North Carolina Press, 1964), 23; William Saunders ed., *The Colonial Records of North Carolina* (Raleigh: Josephus Daniels Printer to the State, 1890), VII:248. Hereinafter cited as *Colonial Records*.

but were also, in some way different altogether. For example, Governor Tryon noted that “these inhabitants are a race of people differing in health and complexion from the natives in the Maritime parts of the province; as much as a sturdy Briton differs from a Puny Spaniard.”⁵ Backcountry settlers understood their subordinate status in North Carolina colonial society and used similar terminology to describe themselves. In 1759 a petition to the King from Rowan, Anson, and Orange Counties, the authors referred to themselves as being in the “Infant Settlements on the Back Frontiers.”⁶

Historian Lawrence London has argued that the variety of geographic conditions existed in North Carolina created sectionalism in the colony, and later, the state. The backcountry of North Carolina developed almost separately from the rest of the colony. Unlike South Carolina, North Carolina was not well connected by rivers that ran east to west. The North Carolina backcountry was separated from the eastern portion of the colony by a desolate coastal plain. Another factor was that North Carolina did not have the connections that the eastern portions of Virginia had with the western portion of that colony. Despite efforts to build roads to the region in the 1760s, poor conditions in North Carolina continually hindered the economic development of the backcountry. Transportation issues forced farmers in the region to remain at subsistence levels rather than pay the high cost of shipping goods across the state. A contemporary living in the eastern portion of North Carolina noted that backcountry inhabitants were of so little

⁵ Ekirch, “*Poor Carolina*,” 180; Lewis, *Artisans in the North Carolina Backcountry*, 12; *Colonial Records*, 7:248.

⁶ “1759 Rowan County Petition to the King” from Jo White Linn, *Rowan County Tax Lists 1757-1800: Annotated Transcriptions* (Salisbury, NC: Privately Published, 1995), 7-12.

significance to the colony's economy as a whole they might as well have been "in the middle of the ocean."⁷

The rapid settlement of the backcountry created logistical issues such as constructing county courthouses, and laying out dividing lines. Addressing these issues cost money, which strained the relationship with the colonial authority in the east. In order to provide the capital for these expenses, colonial officials levied more taxes on backcountry counties than in the coastal counties. Backcountry inhabitants were well aware of their standing in the colonial power structure, and animosity towards this diminished status was inevitable.⁸

Sectionalism does not necessarily mean that the inhabitants in the backcountry were cut off from the rest of the colonies as we will see. It did, however, provide settlers with an opportunity to achieve the goals that brought them to the region to begin with: to create a new society for themselves. Richard Beeman and Carl Bridenbaugh have both noted that backcountry societies exist simultaneously at various stages of development but still reflect the more developed and settled portions of society from which the settlers originated, thus ceasing to be a backcountry. What they created might mirror what they

⁷ Quoted from E. Roger Ekirch, "Poor Carolina," 180; Lawrence F. London, "The Representation Controversy in Colonial North Carolina" *The North Carolina Historical Review* Vol. XI, No. 4 (October 1934), 255; For information on the political control that Virginia was able to maintain in their backcountry see Philyaw, *Virginia's Western Visions*; Powell, *North Carolina Through Four Centuries*, 140; "William Tryon to the Earl of Shelburne, March 7th, 1768," from William Powell ed., *The Correspondence of William Tryon and other selected Papers Volume II* (Raleigh: Division of Archives and History, 1981), 42. Hereinafter cited as *Correspondence of Willaim Tryon*.

⁸ By 1771 taxes were increasing throughout the colony as well. These were to pay for the building of the Governor's Mansion and the cost of fighting the Regulation. Michael L. Marvin Kay, "The Payment of Provincial and Local Taxes in North Carolina, 1748-1771," *The William and Mary Quarterly* 2, Vol. 26 (April 1969), 227,229

had left in style and structure, but socially, they had the opportunity to reinvent society to suit their needs and goals.⁹

Formed in 1753 out of Anson County, Rowan County comprised a majority of the North Carolina backcountry. Salisbury, established as the county seat for Rowan in 1755, served as the political, economic, and cultural center for the entire region and emerged as one of the most significant inland towns in the southern colonies. Surry County was carved out of the northern portion of Rowan in 1771.¹⁰ The two counties shared a border throughout the revolutionary period (Map 1).

Reinventing America in the Backcountry

Sectionalism created localism in the North Carolina backcountry and settlers in the region worked hard to build and maintain power in their own hands. Political power was focused at the local level and was in a constant state of regulation. Historian Gary Nash has recently described the American Revolution as a “many-sided struggle to reinvent America” and the North Carolina backcountry is a perfect example since the backcountry gave many settlers a blank slate to begin this process, and they went to work

⁹ Richard Beeman, *The Varieties of Political Experience in Eighteenth-Century America* (Philadelphia: University of Pennsylvania Press, 2004), 157; Carl Bridenbaugh, *Myths and Realities: Societies of the Colonial South* (New York: Atheneum Press, 1963), 122; Corbitt, *The Formation of North Carolina Counties 1663-1943*; Ekirch, *Poor Carolina, 1733*; Eslinger, *Citizens of Zion*, xiii; Lewis, *Artisans in the North Carolina Backcountry*, 23.

¹⁰ Corbitt, *The Formation of North Carolina Counties*, 185, 199; Jack P. Greene, *Pursuits of Happiness: The Social Development of Early Modern British Colonies and the Formation of American Culture* (Chapel Hill: University of North Carolina Press, 1988), 146.

quickly.¹¹ The early records of backcountry counties include petitions to colonial authorities lobbying to gain control of county politics. For example, Orange County residents complained to Governor Arthur Dobbs because they had not yet been able to vote for county representatives; they requested his permission to elect burgesses despite the fact that their county was in its infancy and their “Publick building not yet done.”¹²

The North Carolina backcountry often fell victim to eastern colonial officials’ limited understanding of backcountry geography and society which exacerbated the regional divide. One major issue was the sheer size of Rowan County prior to the creation of Surry County. When Rowan County was formed in 1753 the county borders extended all the way to the Virginia line with no clear limits on its western border. In the fall of 1760, Rowan County inhabitants sent a petition to colonial officials requesting that another justice of the peace position be appointed because of the size of the county. Settlers argued that there was no justice of the peace within 20 miles of the eastern side of the Yadkin River. The petition also included a list of current justices and pointed out that of the twenty-three listed, one was dead, two no longer lived in the colony, and two no longer lived in Rowan County. The size of Rowan County was also the focus of three petitions sent to colonial officials in 1771. Settlers living in the “upper settlement” along the Catawba River in the furthest western portions of Rowan complained that they lived

¹¹ Gary B. Nash, *The Unknown American Revolution*, 1.

¹² Orange County to Governor Dobbs *undated* “Colonial Governors Papers, Arthur Dobbs, 1754-1765” North Carolina State Archives.

nearly one hundred and forty miles away from the county seat in Salisbury. Rowan County was simply too large to function properly.¹³

County Formation and Political Control

The formation and growth of the new backcountry counties not only established the political borders of the region, but the new counties also helped create the political culture and activism of the region. While the exact date is not known, it is believed that the first court of Rowan County was held in the summer of 1753. The list of justices presiding over the court included some of the earliest political elites in the region. This group included James Carter, Alexander Cathy, Squire Boone, Alexander Osborne, and John Brevard among others. Not only would these individuals play a major role in the leadership of the region, but they also represented families that would come to dominate the political power of the area.¹⁴

Being on a crossroads of the great wagon road Salisbury, the county seat for Rowan was established at a significant location. Colonial officials estimated that nearly a thousand carriages passed through Salisbury in only a few months on their way to colonies further south. By 1762, Salisbury had 35 homes, inns and shops, as well as 150

¹³ “1760 Rowan County Petition” and “1771 Rowan County Petition” from Linn, *Rowan County Tax Lists 1757-1800*, 42-43, 107-111. This specific petition was not addressed for the inhabitants of this particular part of the county until 1777 when Burke County was formed. Corbitt, *The Formation of North Carolina Counties*, 186. ; Robert W. Ramsey, “James Carter: Founder of Salisbury,” *The North Carolina Historical Review VOLUME 39* (Spring 1962), 131.

¹⁴ James S. Brawley, *The Rowan Story, 1753-1953: A Narrative History of Rowan County, North Carolina* (Salisbury, NC: Rowan Printing Company, 1953), 16; Corbitt, *The Formation of North Carolina Counties, 1663-1943*, 185; William S. Powell, *North Carolina Through Four Centuries*, 109.

residents. Historians such as Johanna Miller Lewis and Daniel B. Thorp have shown that backcountry society was hardly the rustic and primitive existence that was previously thought; rather it was a quickly developing market center.¹⁵

Establishing a county court was one of the first jobs of any county magistrate whose duties included choosing the location, buy the land, and arrange for the construction of the courthouse. Historians Alan D. Watson, Roger Ekirch, James Broomall and Richard Lyman Bushman have each explored the importance of courthouses in early America, especially in the backcountry. The county courthouse was the central focus of colonial North Carolina politics. Courthouses served many social functions. They housed important documents for the county and were often the location of the jail, stocks and whipping post. They also served a psychological function for a growing region. Establishing a courthouse created what Alan Watson has described as a sense of permanence to the county and its relationship to the colonial governments in distant regions. More so than anywhere else the courthouse was where backcountry settlers felt the presence of the larger colonial and state power. As James Broomall noted, the courthouse was where “the people and their government met on common ground.” It is for these reasons that courthouses were often the location and occasional target of political debate and unrest.¹⁶

¹⁵ Letter from Governor Tryon to the Board of Trade, *Colonial Records*, 7:248; Lewis, *Artisans in the North Carolina Backcountry*, 17, 34, 71; For more on the backcountry’s growing exchange economy see, Daniel B. Thorp, “Doing Business in the Backcountry: Retail Trade in Colonial Rowan County, North Carolina” *The William and Mary Quarterly*, Volume 48, No. 3 (July 1991), 387-408.

¹⁶ James J. Broomall, “Making a considerable Tumult in the Street’s” Protest and Place in the North Carolina Regulation” *Journal of Backcountry Studies*, Volume III, No. 1 (Spring 2008), 11; Richard Lyman

The influx of settlers, growing economy, and growing political borders made the North Carolina backcountry a dynamic region in the 1760s. With such rapid change and room to grow, white settlers who took part in this process would quickly rise in status in this infant region. Being sure to place oneself in the center of the action was a sure way to guarantee that social and political upward mobility and become one of the new region's elites.

The Formation of a Backcountry Elite

Individuals began jockeying for social power as these new counties and governments developed. The fluid nature of backcountry society could facilitate a quick rise or fall for most anyone. One example of dramatic rise and fall in backcountry society was James Carter of Salisbury. There was no better way to develop social standing than to be involved with the formation of the county courthouse or county seat. In 1754, James Carter was the deputy surveyor in charge of establishing the location of the Rowan Court House, which would later become Salisbury. He was wealthy enough to donate the land that the courthouse was built on, which enabled him to have the county seat, and all the activity that came from it on the tract connected to his property.

Fourteen years prior to his rise in prominence in Rowan County, Carter's situation was hardly as lofty. In 1740, James Carter was in debtor's prison in Cecil County, Maryland.

Carter was released when the Maryland assembly determined that keeping individuals

Bushman, "Farmers in Court: Orange County, North Carolina, 1750-1776." From Christopher L. Tomlins and Bruce H. Mann eds. *The Many Legalities in Early America* (Chapel Hill: UNC Press, 2001), 390; Alan D. Watson, "County Buildings and Other Public Structures in Colonial North Carolina" *The North Carolina Historical Review* LXXXII (October 2005): 427-442.

like Carter, who lacked the means to pay their debt, made them “Prisoners for Life.” Carter left Maryland in hopes of finding some means of upward mobility, and by 1744, he had obtained a three hundred-acre tract of land in Augusta County, Virginia, located in the Shenandoah Valley. He returned to his trade as a millwright and began connecting himself to the likes of Hugh Foster, John Dunn, Morgan Bryan, and Squire Boone, all of whom played major roles in the early leadership of Rowan County.¹⁷

Looking for cheaper land and more profit this group, looking for cheaper land and more profit, soon moved into Rowan County and purchased thousands of acres of land. Through timing and the sheer amount of land controlled, this group became the leadership of the newly formed Rowan County. John Dunn became the attorney and first clerk of court for the county. Hugh Foster and James Carter were appointed trustees for town land, and Carter himself became one of the first justices for Rowan. During his political career, Carter also served as justice of the peace and register of deeds and rose to the rank of Major in the Rowan Regiment of the colonial militia. Perhaps the largest step for Rowan County’s political development was in 1753-54 when Rowan was first represented in the Colonial Assembly of North Carolina. James Carter, along with John Brandon, were the first two representatives for the county in the colonial assembly.¹⁸

A decade after walking out of a debtor’s prison in Maryland, James Carter had established himself as one of the ruling elite in a growing backcountry county. The most

¹⁷ James Carter identified as a Mill Wright and Squire Boone was a weaver. Lewis, *Artisans in the North Carolina Backcountry*, 23-24; Robert W. Ramsey, “James Carter,” 132-135.

¹⁸ Cheney, *North Carolina Government, 1585-1979: A Narrative and Statistical History*, 44-45; Ramsey, “James Carter” 133, 135; *Colonial Records*, 5:810.

important position he acquired was that of a surveyor and register of deeds under the Earl of Granville. Rowan County fell into property known as the Granville District, which was a land grant belonging to Sir John Carteret, the Earl of Granville. Granville did not govern over the district; however, he did own the land, and any land purchased was from him and not the colony. For inhabitants this situation was problematic at best and became what historian William Powell referred to as a “serious obstacle” for the growth of the colony. Granville’s land office was located all the way in Edenton on the coast. Any register of deeds, such as James Carter, would have to travel to that office in order to record deeds from the backcountry. One of the complaints launched against Carter was that while he held the position of register of deeds, many settlers never received a deed after paying Carter the fees for the process. Leading Regulator Hermon Husband investigated and argued that Carter filed less than 200 claims, and the actual number should have been closer to a thousand.¹⁹

Complaints such as this were not uncommon; the main focus of these complaints surrounded the issue of land grants in the region, especially in regards to the land office of the Earl of Granville. As early as the 1750s, backcountry inhabitants were complaining to colonial leaders about the actions of land agents in Granville’s office. The problems largely stemmed from the fact the Granville was an absentee owner and had in fact never been to North Carolina. It had become a fairly common practice for British merchants and speculators to conduct business in North Carolina without ever

¹⁹ Ekirch, *Poor Carolina*, 92,136-140; Powell, *North Carolina Through Four Centuries*, 93-94.

coming to the colony. This practice created logistical as well as legal issues, such as how to sue or collect on debts of such individuals. Business was conducted for these absentee owners via middlemen in the colonies; Granville himself operated through a pair of agents and subagents to survey, record deeds, and collect rents. With the boss so far away, it might seem only natural that corruption would emerge in such a powerful position. One such culprit was James Carter, who continually did not register land deeds and was eventually ousted from the position.²⁰

In launching these complaints backcountry inhabitants were not rebelling against colonial authority; but rather, they were turning to it more so than ever, despite the focus on localism. In their experience, the problem was not eastern elite but local authorities who were corrupted. Colonial officials did hear these complaints, and the amount of complaints and suits filed against the office led some colonial officials to suggest that the Crown purchase the land from Granville. However, it would have been a great cost, it would add to the rents that the colony received and would solve many of the problems associate with the district. Although this never happened and the land office of Granville's remained a problem until the land was confiscated by the state during the Revolution.²¹

²⁰ Robert DeMond, *The Loyalist in North Carolina During the Revolution* (Durham: Duke University Press, 1940), 27; Wayne E. Lee, *Crowds and Soldier in Revolutionary North Carolina: The Culture of Violence in Riot and War* (Gainesville: The University Press of Florida, 2001), 23-24; Meeting of the North Carolina House, November 25, 1758, *Colonial Records*, 5:1016-1017.

²¹ Letter from Governor Tryon to Earl of Shelburne, 18th July, 1767, *Colonial Records*, 7:513; William Powell, *North Carolina Through Four Centuries*, 94.

Land was the chief concern of any settler coming into the backcountry, and its importance to these individuals cannot be exaggerated. As with anywhere else in the British North American colonies, land was often the central focus of many conflicts, both external and internal. To acquire land in North Carolina, settlers had to find a location not already owned by a white settler and obtain an order from the governor or some representative in the land grant office to have that plot surveyed. It was also at this time that land was generally paid for, which led to many of the problems. After the land was surveyed, the survey was turned into the office and recorded and a deed was given to the land's new owner, who would then pay an annual quit rent as a sort of property tax. In the Granville District, instead of working with the governor's office, one had to go through Granville's office.²²

One of the biggest problems with the faulty land office and land grant system was that many settlers had no real claim to the land they were living on, farming, and improving. This may have just been through negligence or incompetent land agents, but some backcountry inhabitants saw a more sinister plan at work—the controlling of political power and the political voice of the region. By not having your land deed, not only did you not legally own property, but you could not vote either.

Backcountry inhabitants reached out to the colonial government to complain, not specifically about the lack of land grants, but the political power that not having registered land robbed them of. In 1770, an Anglican minister in Rowan County named

²² Nash, *The Unknown American Revolution*, 4; Powell, *North Carolina Through Four Centuries*, 131.

Draige sent a letter to Governor Tryon and expressed his concern over the lack of land grants being properly distributed to those who had purchased land. He pointed out that it was often the Anglicans who did not have their land grants, while the “dissenters” had no trouble obtaining grants, this according to Draige, gave these “rotten nuts” a “superiority of votes.” In order to be a voting Freeholder, you had to have legal claim to land. He would complain again in a letter in 1771 about how the “Irish Dissenters” in the region controlled all the power of government in the region and could shape it how they saw fit.²³

In effect, this made many living in the Granville District squatters with no real claim to the land. To make matters worse, it also made it difficult for colonial tax collectors to collect quit rents on the land. To help settle the issue the North Carolina Colonial Assembly went so far as to request that the king take over the Granville District or offer to purchase it from Granville. The reasons Carter failed to file land deeds are not known. This failure could be related to the fact that the land office was so far away; however, Hermon Husband argued that those who had voted Carter to the Assembly had no trouble getting deeds.

Through the collection fees from his various offices (some of which may have been obtained dishonestly), working in a variety of trades, and land sales, Carter became a very wealthy man; however, his prestige was short lived as he fell victim to the regulation of backcountry society. During the French and Indian War, Carter and John

²³ Rev. Mr. Draige to Governor Tryon May 29th, 1770; Rev. Mr. Draige to the Secretary, February 28th, 1771, *Colonial Records*, 7:202, 503.

Brandon were given the duty to take £500 and purchase arms and ammunition for the “use of the poorer inhabitants of the region.” The Colonial Legislature charged Carter with neglecting to perform this task, and he was ordered to appear before the Assembly. The assembly expelled Carter from his seat in the house, ruled that he not be allowed to vote in that current session, and decided that Carter “be Broke from being a Major of the Regiment of said County.” The Governor permitted Rowan to hold a separate election in order to elect someone to the Assembly to sit in that session. Rowan elected Hugh Waddell to replace Carter. The Salisbury Supreme Court was slightly more lenient with Carter and decided that £250 of the £500 was in fact used for the purpose of buying arms for defense of the frontier during the French and Indian War. Perhaps Carter tried to take advantage of the political separation of the backcountry and thought that word that he had not spent the money for its intended purpose would get back to the assembly so far away. John Brandon was never mentioned in the charges against Carter in this matter.²⁴

Backcountry inhabitants who had been jilted by Carter did not have to resort to extra-legal means to oust the crooked official; they worked through legal means as British subjects. Through this process, Carter’s questionable practices as a land surveyor for Granville gained the attention of the colonial legislature, which determined that he was guilty of extortion. This meant that not only were potential land owners not receiving their deeds, but the land office itself was not receiving the money given to

²⁴ Hugh Waddell was another early settler that was climbing the social ladder and gaining the attention of local and colonial authorities. Hugh T. Lefler and William S. Powell, *Colonial North Carolina: A History* (New York: Charles Scribner’s and Sons, 1973) 142; *State Records*, XXIII: 394; Ekirch, *Poor Carolina*, 139; *Colonial Records*, 5:810, 892, 898, 1082, 1092; Ramsey, “James Carter,” 137.

Carter. At the same time, older debts also came back to haunt Carter, including those that placed him in jail in Maryland, leaving him bankrupt. By 1761, Carter had lost most of his vast land holdings and had been forced out of leadership in Rowan County through the colonies process of regulating.²⁵

Regulating Society

Backcountry inhabitants struggled to create a political system that worked in their favor marked the pre-Revolutionary period in the North Carolina Backcountry. While colonists in Boston and Philadelphia were becoming embroiled in the Stamp Act Crisis and accusing the British Crown of suppressing their liberty, citizens in North Carolina were doing the same, but their targets were local. In light of this constant reforming of society, the Regulator Movement, or “Regulation” as it is often called, was just an extreme example of what had become commonplace in the region. Historian Wayne Lee has pointed out that what created the violence associated with the Regulation was the fact that the previous methods of petitioning and protest that were so commonplace had failed to create the desired response as they had in the past.²⁶

²⁵ The collection of Quit Rents had been problematic throughout Colonial North Carolina. One problem with the process was that the Colonial Assembly never passed any laws regulating the collection of the rents. Historian Charles Sellers has argued that by the 1760’s the entire system was in disorder. Ekirch, *Poor Carolina*, 139; “In Salisbury Supreme Court” *Colonial Records*, V:1082-1083; Ramsey, “James Carter,” 138; Charles G. Sellers, “Private Profits and British Colonial Policy: The Speculations of Henry McCulloh,” *The William and Mary Quarterly*, Volume 8 No. 4 (October 1951), 537.

²⁶ The Regulator Movement was an agrarian uprising in the western part of North Carolina between the years 1766 and ended at the Battle of Alamance in 1771. Historian Gary Freeze also notes that the Regulation “was actually a sequence of disjointed protest movements” in his work “Reading the Writing on the Walls of Backcountry Rowan County’s Stone Sanctuaries, 1774-1795,” *Journal of Backcountry Studies* 1, Vol. 1 (Spring 2006), 10; Wayne E. Lee, *Crowds and Soldiers in Revolutionary North Carolina*, 48-49;

The Regulator Movement has been one of the most explored periods of early North Carolina history and certainly the most covered aspect of the North Carolina backcountry. The Regulation has often been romanticized as the earliest origins of Americans banding together to overthrow the Crown, and the poor Regulators were seeking to overhaul the class base stratification of colonial society and authority centered on the eastern seaboard. In 1914, historian Archibald Henderson referred to it as a “peasant uprising.” Others have gone so far as to suggest that it was the forerunner of the American Revolution.²⁷

More recently historians have viewed the Regulation in terms of class conflict and struggle for control in the region. James Whittenburg has argued that the Regulation was the first social movement in the colonies to propose long term reforms to the political system. Historian Lynn Nelson pointed out that in the eighteenth century, poorer individuals who lacked education and political experience deferred power to elites whom they granted patronage. Wealth and power entitled someone to take part in the political process. It is important to keep in mind that much of this was based on the European hierarchical society, and few questioned it. However, this show of deference did not mean a complete loss of control. The elite had an obligation to those who had deferred power to them and could very quickly remove that power and place it elsewhere. This is especially true in the backcountry where the elite was made up of “men on the make,”

Marjolene Kars, *Breaking Loose Together*, 37, 73, Nash, *The Unknown Revolution*, 72, Nelson, “Historiographical Conversations about the Backcountry: Politics”, 5.

²⁷ Broomall, “Making a Considerable Tumult in the Streets,” 2; Archibald Henderson, “Richard Henderson and the Occupation of Kentucky, 1775,” *The Mississippi Valley Historical Review* Vol. I no. 3 (December 1914), 343.

lawyers, merchants and surveyors. This shift in power and allegiances was the regulation of society that had become typical in the backcountry. At the same time, the backcountry was growing economically as the value of property in the region gradually increased throughout the years of settlement. Wealthier planters demanded their place in the hierarchy and were pushing against the old guard and many, such as Hermon Husband, felt they were denied their rightful place in the region's leadership. When this system of deference failed to work, the result was organized revolt.²⁸

The Regulation was centered in Orange County (Map 1), but its influence and the disturbances it created went throughout the region. In Rowan County local elites, such as John Frohock, would become the target of the Regulators. Frohock served in numerous political offices, such as country surveyor, commissioner for Salisbury, Justice of the Peace, and was elected to the Colonial Assembly. By 1765, Frohock was the Clerk of Court in Rowan County and as Marjolene Kars points out, one of the wealthiest and most influential persons in Rowan County. Frohock was also associated with large land speculators; he served as a surveyor for Henry McCulloh, who lived in England but owned enormous tracts of land throughout the southern portion of the North Carolina backcountry including sections of Rowan County. He was also a rent collector for the

²⁸ James J. Broomall, "Making a considerable Tumult in the Streets," 2; Christopher Graham, "Reading the Regulators" *Journal of Backcountry Studies* Vol. IV No. 1 (Spring 2008), 1-4; Nelson, "Historiographical Conversation about the Backcountry: Politics," 1-5; Marjolene Kars, *Breaking Loose Together*, 3; Marvin L. Michael Kay and Lorin Lee Cary, "Class, Mobility, and Conflict in North Carolina on the Eve of Revolution," from Jeffery Crow and Larry E. Tise eds. *The Southern Experience in the American Revolution* (Chapel Hill: The University of North Carolina Press, 1978), 109; Sellers, "Private Profits and British Colonial Policy: The Speculations of Henry McCulloh," 548; James P. Whittenburg, *Backcountry Revolutionaries: Social Conflict and Constitutional Theories of the North Carolina Regulators, 1765-1771.* Ph. D. diss, University of Georgia, Athens, 1974. 189-190, 289.

Earl of Granville. Holding elected political office within the county and serving as a surveyor for a land baron across the ocean could easily be construed as a conflict of interest in an era where land ownership was so important.²⁹

Resistance to absentee land speculators was common in the region well before the Regulation. In 1755, settlers along the Yadkin River in Rowan tried to confuse land surveyors working for McCulloh by pointing out the wrong land marks that the surveys were based. Unable to outwit the surveyors, they resorted to violent threats. It was not an out of control mob, however; the fifteen men were led by Colonel George Smith, who threatened not only to “break their bones” but also to carry the surveyors to jail. It is clear that the settlers felt that they were in the legal right, and the surveyors were not only an annoyance but were legally in the wrong.³⁰

The Regulation has been seen as a unifying aspect of backcountry culture, but it was just as much a divisive element. Within the region, the regulator movement turned into something akin to “Red Scare” as suspect individuals could easily be accused of being Regulators or vice versa depending on the situation. The Moravians in Rowan County refused to take part in the elections of the summer of 1769 for fear of taking any

²⁹ Ekirch, *Poor Carolina*, 162; Kars, *Breaking Loose Together*, 38-39; Lee, *Crowds and Soldiers in Revolutionary North Carolina*, 28, Wayne Lee’s work also features a map that shows Henry McCulloh’s three land grants that make up much of the south east corner of Rowan County, 29; Henry McCulloh was also a major political figure and his actions and advice to the Royal officials, which no doubt was influenced by his economic interests. He has been accused of retarding the political development of the colony at the very least. He vigorously supported the Stamp Act in his publication “Miscellaneous Representations Relative to Our Concern in America.” C. Robert Haywood, “The Mind of the North Carolina Opponents of the Stamp Act,” *The North Carolina Historical Review* No. 3 Vol. XXIX (DATE ?), 317; Powell, et al. *The Regulators in North Carolina*, 579; Sellers, “Private Profits and British Colonial Policy: The Speculations of Henry McCulloh,” 535-537, 547.

³⁰ Lee, *Crowds and Soldiers*, 28.

sides in the tumultuous region. According to the Moravian diarist in Bethabara, the region was plagued with rumors and “all sorts of reports about the Regulators.” These rumors led many to flee their homes in the face of possible threat. Once again, the Moravians became the destination of refuge. After getting word, or perhaps just fearing that the Regulators were going to whip him, Henry Banner left his home and spent the night among the Moravians in Salem.³¹

In January, 1771, Charles MacNally’s home was approached by an angry mob with plans to “regulate him.” He debated with the angry crowd and answered their accusations. What the specific accusations were, is unknown it is also unknown which side of the regulation the mob was on and which side MacNally was supposedly. What is known is that apparently the group were not satisfied with MacNally’s replies and were run off after MacNally threatened the group with a “loaded pistol” and a “loaded gun, he had ready.”³²

Determining how many people were involved in the Regulation would be a difficult, if not impossible, task. Roger Ekirch estimated that as much as three-quarters of the population of the region participated as Regulators. James Whittenburg argued that less than a thousand could be positively identified as Regulators and some individuals’ names appear on both lists of Regulators and Anti-Regulators. Since so many people were actively petitioning the government for grievances, it may be

³¹ Bethabara Diary, January 20, 1771, *Records of the Moravians*, 1:450; Kars, *Breaking Loose Together*, 170.

³² Bethabara Diary, January 20, 1771, *Records of the Moravians*, 1:450.

impossible to tell who was a Regulator versus a concerned citizen. And given the right catalyst a concerned citizen could possibly turn into a Regulator. Other more self supporting individuals may have taken advantage of the chaos created by the Regulator movement for personal gain, and do so under the guise of Regulation. Wayne E. Lee has pointed out that the common ideology that ties a movement together can be easily corrupted or disappear altogether through individual interests. He traces this loss of a central value with the escalation of violence associated with the Regulation, stating that “The Regulators’ careful riot got out of control,” which is something that Colonial officials feared more the Regulation itself.³³

Support for the Regulation seems to taper off into Rowan and what would become Surry. Perhaps the political culture in Rowan was still new enough that there was no need to take part in the Regulation. Or, the system in Rowan, and later Surry was working, such as the example with James Carter, and therefore was not in need of any further regulating. If complaints and grievances are being addressed, there would be no need to move beyond that process. Many of the individuals who were the targets of the Regulation lost their political office in the election of 1769, including John Frohock of Rowan County.³⁴

³³ Ekirch, *Poor Carolina*, 165; It was the fear of growing radicalism in the Regulator movement that prompted colonial elite to entertain the idea of meeting with the Regulators and perhaps come to some agreement for peace. Kars, *Breaking Loose Together*, 195-196; Lee, *Crowds and Soldiers in Revolutionary North Carolina*, 47; Lewis, *Artisans in the North Carolina Backcountry*, 125; Whittenburg, *Backwoods Revolutionaries*, 253.

³⁴ John Frohock had represented Rowan County in the Colonial Assembly since 1760 but falls out of County leadership abruptly in 1769. He also faced lawsuits for extortion in 1769 in which he was acquitted. Many contemporaries were angered over his acquittal arguing that the jury was dominated by

Despite the unpopularity of the Regulation in Rowan County, that does not mean that the Regulators, or individuals using the conflict for personal gain, did not cause problems. In 1765, Frances Locke, the Sherriff of Rowan County and future Revolutionary War hero, met resistance when collecting taxes by a mob that refused to pay. This event occurred one year prior to the official formation of the Regulators. In 1768, Frances Locke ran into the same problem collecting taxes and was approached by a group who “styled themselves Regulators” and managed to send him away with his job unfinished. Again in 1768, Sheriff Andrew Allison was stopped from collecting taxes by “a set of people calling themselves Regulators.”³⁵ Once the Regulators formed, any type of disobedience to the law would quickly be attached to the movement, although such civil disobedience seems to have been commonplace throughout the decade, Regulator uprising or not. The wording of this document also leads one to believe that maybe they did not believe that these men were real Regulators but were certainly deemed enough of a threat to halt the paying of taxes for that term.

As much as the Regulation was a disturbance to the region, it was also yet another opportunity for upward mobility to enterprising settlers. The backcountry elite that would later make up the leadership of both sides of the Revolution served in the county militias that were used to defeat the Regulation and support colonial authority. Among

former sheriffs who would not convict one of their own. Cheney, *North Carolina Government, 1585-1979*, 46, 52-53; Kars, *Breaking Loose Together*, 170.

³⁵ From the Rowan County Court Records, *Colonial Records*, 8:157; Deposition of Francis Lock, Oct, 3, 1768, William S. Powell, James K. Huhta and Thomas J. Farnham, eds., *The Regulators in North Carolina: A Documentary History 1759-1776* (Raleigh: State Department of Archives and History, 1971) 186-187; From the Records of Rowan County, Inferior Court August Term 1770, *Colonial Records*, 8:227.

others who served in such a capacity were the political rivals in the Surry Courthouse debate, Gideon Wright, and Martin Armstrong. All served as captains in the Rowan militia throughout the Regulator struggle.³⁶

Because of the disturbances to local government in the region, some prominent citizens became active anti-Regulators. One of the most active anti-Regulators was Gideon Wright. Wright gained a reputation as a staunch anti-Regulator and was quickly marked for violence by the rebels. After being turned back from Court in Salisbury which the Regulators had shut down in March of 1771, Wright began traveling through the region hunting down regulators. By April 30th, he had 25 men enlisted to travel with him to Hillsborough to meet with the Governor and his forces. He planned to stop in Bethabara to gather guns and supplies. By the time he was actually on the journey to “secretly” meet with the Governor he only had 9 to 15 men depending on the account. Whether some turned back or 25 was too lofty of a goal is not known.³⁷

Fighting in the region put everyone at risk. As Regulators and anti-Regulators traveled through the region, the chance for violence breaking out anywhere was extremely high. On one occasion, Gideon Wright was in Bethabara to pick up supplies to fight the Regulators while the Regulators were also in town securing supplies. The

³⁶ 1766 List of Captains for the Rowan Regiment, from Linn, ed. *Rowan County Tax Lists*, 64; this list also includes other prominent individuals such as Griffith Rutherford, Morgan Bryan, and Hugh Montgomery, all of which would play a major role in the region throughout the Revolution as both Patriots and Tories.

³⁷ Marvin L. Michael Kay and Lorin Lee Cary have noted that most prominent and wealthy inhabitants of the backcountry counties can be identified as Anti-Regulators. Martin Armstrong and Gideon Wright would certainly fit that classification. “Class, Mobility and Social Conflict in North Carolina on the Eve of Revolution,” 131; Bethabara Diary 1771, *Moravian Records*, 1:451-455; “Eno Camp, Hillsborough, May 11th 1771,” Powell, *Correspondence of William Tryon*, 691.

Bethabara diarist noted that the Regulators marched in good order when leaving the town. It appears that Gideon Wright's small forces were greatly outnumbered and he and his crew left Bethabara "rather timidly."³⁸

Martin Armstrong and Robert Lanier also were using military service to the governor to advance their standing and restore order to the region.³⁹ However, Armstrong and Lanier's activity seems to have been much less than Wright's, which might help explain why Wright found himself in greater favor to the Governor after the Battle of Alamance.

Gideon Wright's service to the governor would pay off for him as the formation of Surry County and the location for the Surry County court was determined through the political and social conflict of the Regulation and created a political rivalry that would span the Revolutionary period. When Surry was created from the northern portion of Rowan in 1771, Gideon Wright and John Armstrong both wanted the court to be located on their property. Both men were already prominent leaders in the region after serving as officers in the Rowan militia. Gideon Wright took a proactive stance to sway public appeal to his favor by going through the region collecting money so that he could obtain a charter for the court house from the Governor. At the same time, Martin Armstrong, John's brother, was applying for a charter for a market in hopes of creating the economic center of the new county and perhaps attempting to gain the political center as well. The

³⁸ Bethabara Diary 1771, *Moravian Records*, 1:455-456.

³⁹ William Tryon to Martin Armstrong, 23rd May 1771, *Correspondence of William Tryon*, 749.

Moravians at Bethabara noted that “certain people are very active in looking out for their own interests in the impending County changes.”⁴⁰

John Armstrong traveled to New Bern to meet with the governor of the colony to discuss placing the court on his property. He was no doubt disappointed because when he returned, he brought back with him a copy of the Act of Assembly creating Surry County in 1771, which specified that the Court for Surry County was to be held at the home of Gideon Wright.⁴¹ The governor was hardly concerned with the formation of new counties or the location of their courthouses in the face of insurrection. It is not known what swayed the decision in Wright’s favor. What is known is that immediately following the decision, Wright became one of the worst enemies of the Regulators in the region. Wright had achieved the rank of Colonel through his exploits against the Regulators, while Armstrong remained a captain—a fact that left Armstrong very bitter. Armstrong never made it to the battle of Alamance where the Regulation was crushed by the governor’s forces. According to accounts, he and someone named Linear, perhaps Robert Linear, were turned back by their fears. The truth was by the time their fears supposedly turned them back, the battle was already over. While on his way to meet the Governor following the Battle of Alamance, Armstrong passed through Bethabara, and it was noted that he “had much to say against Gideon Wright.”⁴²

⁴⁰ Bethabara Diary 1771, *Records of the Moravians*, 1:451-452. Linn, *Rowan County Tax Lists*, 64.

⁴¹ Bethabara Diary 1771, *Records of the Moravians*, 1:453-455; An Act for dividing the Northern Part of Rowan County, and erecting a new County and Parish, by the Name of Surry County and St. Jude’s Parish, *State Records*, 23:844-846.

⁴² Bethabara Diary, 1771, Fries, *Records of the Moravians*, 1:457-458.

The Armstrongs did not completely lose this political debate. Martin Armstrong was named one of the commissioners of the new county, as was Griffith Rutherford, John Dunn, Mathew Locke, and Anthony Hampton. Surry County also gained a voice in the Colonial Assembly where Richard Goode and Robert Lanier, who had assisted the Armstrongs during the struggle against the Regulation, represented the county. The formation of Surry County not only produced new political borders in the region, but it also created a new political elite eager to advance themselves in a political system still in its infancy.⁴³

John Dunn and Griffith Rutherford were already well known as political leaders in the region in Rowan County. In 1769, the population of Salisbury had grown large enough to be represented in the colonial assembly on its own, and John Dunn represented the town in 1769 through 1771. Griffith Rutherford first appeared into the political arena in 1768 when he represented Rowan County in the Assembly, where he would serve until 1771. When county lines were drawn to create Surry County, it was not uncommon for individuals to now own land in two counties, which would make them eligible for political office. With the county being so new, it would make sense to defer leadership to those with experience, despite where they lived. Aspects such as this often linked the political and economic life of the two counties together.⁴⁴

⁴³ An Act for Dividing the Northern Part of Rowan County, and erecting a new County and Parish, by the Name of Surry and St. Jude's Parish, *State Records*, 23:844-846; Cheney, *North Carolina Government, 1585-1979*, 54-56.

⁴⁴ Cheney, *North Carolina Government, 1585-1979*, 52-54.

With the location of the courthouse temporarily decided and the Regulators suppressed, the political life of Surry County began on May 21, 1771. The charter for the county was read and the justices for the county were sworn in. Charles McNally, one of those to be sworn in, had a suggestion for the oath he took as justice. He suggested that the oath to the king be left out, since he felt that the people would not approve of him as a justice if that were included. Perhaps he understood that the settlers in the region felt that power at the local level was more important than any power connected to a distant monarch. The clerk consulted the twenty persons present, and it was decided that justices of the newly formed Surry County would be sworn in but would make no oath of loyalty to the King of England.⁴⁵

The debate over the location of the courthouse was not the only political power play that emerged in the newly formed county. The other debate spurred on by this event involved the location of the Moravian settlement of Wachovia. The Moravians began to settle the nearly 100,000 acre land tract of Wachovia in 1753. When it was founded, Wachovia was located in Rowan County. The land tract included Bethabara; other towns were later established until Salem became the central capital of the Moravian settlements in 1766. The Moravians created an interesting issue for county and colonial leaders because they did not own individual land. They owned their own homes and other property, but the land itself was owned by the Congregation as a whole. The Moravians even voted as a block. Historian Daniel Thorpe speculates that because of this factor, the

⁴⁵ Bethabara Diary, May 22, 1771, *Records of the Moravians*, 1:458-459. The following year a clause against the Regulators was also added to the oath of office for Justices of the Peace in Surry County. Bethabara Diary, February 18, 1772, *Records of the Moravians* II:729.

Moravians had little political power and could only have an effect in extremely close elections.⁴⁶

When Surry County was created in 1771 the border separating Surry from Rowan divided Wachovia in half. Remaining in one county was a chief concern to the Moravians because their land was owned communally and they voted as a single block. They immediately began to petition county and colonial officials on all sides. County officials in Surry were concerned that if borders were redrawn to accommodate Moravian concerns that the settlement may go back into Rowan, and Surry would lose those population numbers which were important for maintaining the political strength of the infant county. There was fear that without the Moravian settlement, Surry County would not be able to “support itself.” The 1771 Tax List for Surry list only 1,016 taxable residents, so numbers would certainly be a concern. It does not appear that Rowan County was concerned about whether or not they would be able to keep the Moravian settlement within its borders. Being an older county with a larger population, the loss of the Moravian settlement would not have made that much of a difference for Rowan. There is evidence that the Moravians themselves preferred Surry to Rowan. Moravian merchant Turgotte Bagge wrote that the placing of the Moravians in Surry was a great

⁴⁶ C. Daniel Crews, *Through Fiery Fields: The Revolutionary War and The Moravians* (Winston Salem, NC: Moravians Archives, 1996), 2; S. Scott Rohrer, “Evangelism and Acculturation in the Backcountry: The Case of Wachovia, North Carolina, 1753-1830” *Journal of the Early Republic*, Volume 52, Summer 2001, 203; Daniel Thorp, *The Moravian Community in Colonial North Carolina: Pluralism on the Southern Frontier* (Knoxville: The University of Tennessee Press, 1989) 30, 173.

benefit to them because “it took them from under the control of the Presbyterians” who largely controlled the politics of Rowan County.⁴⁷

In the summer of 1772, when colonial governor Josiah Martin visited the Moravians in Wachovia, the congregation took this opportunity to make their argument that Wachovia should be in one county directly to him; however, their efforts had little or no effect. It was not until the winter of 1773 when Turgotte Bagge and Frederic William Marshall personally went to New Bern to argue for a redrawing of the county lines. The decision was then made to redraw the county lines and move the southern border of Surry further south to include all of Wachovia.⁴⁸ This controversy not only got backcountry inhabitants involved with colonial authority in the east, but the victory of the Moravians insured the survival of Surry County as a political entity.

The Catawba's Changing World

To the native inhabitants of the region this mass migration of white settlers resembled nothing short of an invasion. The Catawba Indians lived south of the Yadkin River along the border of North and South Carolina. Their location made them the most immediate group affected by this migration. For the Catawba, the invasion of white settlers could not have occurred at a worse time. In the 1750s severe drought plagued the North Carolina backcountry which had depleted the Catawba's food supply; the increased

⁴⁷ Crews, *Through Fiery Trials*, 9; Bethabara Diary, July 13, 1771, *Records of the Moravians*, 1:470; Thorp, *Moravian Community in Colonial North Carolina*, 196-197; “1771 Tax List Surry County” General Assembly Papers, North Carolina State Archives.

⁴⁸ Crews, *Through Fiery Trials*, 5, 9.

population in the region only added to the strain. As early as 1755, the Catawba had been virtually surrounded by white settlers moving to the region, and surveyors divided up land still claimed by the Catawba. William Richardson, a minister traveling through the region in 1758-1759, met with Catawba leader King Hagler on a number of occasions. Each time, Hagler expressed the need for corn to feed his people. On one occasion, Richardson gave Hagler 10 shillings in order to buy 30 bushels of corn. The Catawba also became heavily reliant on the colonial government for assistance in the face of the extreme conditions. In May of 1756, Hagler thanked the colonial officials for the corn saying it “saved the lives of many of our old men, women and children.”⁴⁹

Desperation and cultural misunderstandings put the native inhabitants in conflict with backcountry settlers. Numerous settlers accused the Catawba of stealing food from their homes, prompting them to hide food when the Indians approached. Hagler explained in a meeting with county and colonial officials that the dire need for food coupled with the fact that they were at war forced the Catawba to break into the homes to get food. Hagler provided examples where settlers had lied to the Indians about whether food was available. According to the Catawba, dishonest behavior such as this warranted taking what was needed in these situations. King Hagler was perhaps not speaking out of place when he complained of settlers not giving the Catawba’s food. By the 1760s the Catawbas were allied with the colonial government fighting against the Cherokee. Hagler

⁴⁹ For more information on the Catawba Indians see, James H. Merrell, *The Indians’ New World: Catawbas and Their Neighbors From European Contact Through the Era of Removal* (New York: W.W. Norton and Company, 1989), 4, 137-143,171; “William Richardson’s Diary” Presbyterian Archives, November 8-11, 1758, January 28, 1759; Copy of a conference held with the King and Warriors of the Catawbas by Mr. Chief Justice Henley at Salisbury in North Carolina in May 1756, in *Colonial Records*, 5:581.

explained that the Catawba were not able to hunt or grow their own food because they were continually on the move, at times fighting at times for the benefit of the settlers, so it would be considerate for the white settlers to supply the forces protecting their lives and land. Hagler also blamed the settlers for many of the transgressions, stating that the deeds were done by many young Catwabas while they were drunk. He blamed the white settlers for making and providing the young Catawbas with alcohol; he requested that colonial officials intervene and stop the settlers from doing this.⁵⁰

West of the Catawba were the Cherokees, who had not been as directly affected by the massive wave of white settlers as the Catawbas. Settlers had already been coming into the Cherokees hunting territory as early as the 1750's. The Cherokees lived in towns that dotted the southern tip of the Appalachian Mountains, but they claimed hunting lands as far east as the edge of the North Carolina piedmont region. The hunting grounds supplemented Cherokee agriculture; the influx of settlers scattered game and added a new competitor for the natural resources of the region.⁵¹

The massive wave of settlers almost came to a halt during the tumultuous time of the French and Indian War. Although the major military campaigns of the war never came to North Carolina, the threat of internal attacks from Native Americans living in the area was heightened. The movement of settlers into Native American territory caused a threat to the indigenous populations, some of whom allied themselves with the French

⁵⁰ "King Hagler and Sundry of his Headmen and Warriors" *Colonial Records*, 5:141-146.

⁵¹ For more on the Cherokee in this time period see John Oliphant, *Peace and War on the Anglo-Cherokee Frontier, 1756-63* (Baton Rouge: Louisiana State University Press, 2001), 1, 41.

and began to attack white settlements. Attacks during the mid to late 1750s occurred throughout the southern backcountry beginning in the Shenandoah Valley of Virginia and spanning south into the South Carolina backcountry. In 1759 the Cherokee launched massive campaigns into the North Carolina backcountry. These organized attacks have been labeled The Cherokee War by historians; however the Cherokee War and fighting associated with the French and Indian War are nearly inseparable in the North Carolina backcountry, and backcountry settlers hardly made the distinction.⁵²

In the summer of 1753 for example, an attack occurred barely two miles from the newly established Rowan courthouse. By 1755, the colonial legislature began to consider the issue of protecting the frontier, and suggested that a fort be built in the backcountry. Colonial Governor Dobbs traveled through the region and recommended that defenses in the region be strengthened from “Indian Incursions” in the area; however, this measure may not have been enough. Historian John Mass has argued that the colonial leaders, who were based in the coastal regions, felt little threat from Indian attacks and failed to act sufficiently to support the backcountry. This no doubt contributed to the rift between the backcountry and the eastern elites.⁵³

⁵² Fred Anderson, *Crucible of War: The Seven Years War and the Fate of Empire in British North America, 1759-1769* (New York, Vintage Books, 2000), 457-458; John R. Mass, “All this Poor Province Could Do”: North Carolina and the Seven Years War, 1757-1762” *The North Carolina Historical Review*, Vol. LXXIX, No. 1 (January 2002), 53-54; Oliphant, *Peace and War on the Anglo-Cherokee Frontier, 1756-63*, 9; Ramsey, *Carolina Cradle*, 193.

⁵³ Mass, “All this Poor Province Could Do”, 53-55; Letter from Governor Dobbs, Newbern 25th August, 1755, *Colonial Records*, 5:419-420; “Gentlemen of His Majesty’s Council, Mr. Speaker and Gentlemen of the Assembly,” *Colonial Records*, 6:133.

The threat of violence caused backcountry settlers to turn to the power of the colonial government for protection. In 1759, settlers in Rowan County sent a petition to the king pointing out that on the frontier they were exposed to “great and eminent dangers of the French enemy and the Cruel Savage Bloodthirsty Indians.” They conveyed to the king and colonial officials the severity of the situation and compared the number of Native Americans they were facing as being similar to “grasshoppers” in a field. They stressed the importance of their location as being the frontier between both white settlement and Native settlement and English settlement and the French.⁵⁴

When colonial authorities failed to act in what backcountry settlers saw as a satisfactory manner they began to flee the region altogether: the number of taxable persons in Rowan country dropped almost by half between 1756 and 1759. Anglican minister William Richardson traveled through the region during the French and Indian War and mentioned coming across abandoned cabins with some regularity. The Moravians who built a stockade around their settlement to “prevent a surprise and blood shedding on both sides,” were flooded with refugees fleeing the farthest reaches of the backcountry.⁵⁵

Colonial officials may not have feared for their own safety, but they did fear the loss of settlers in the back country and struggled with how best to defend the region.

⁵⁴ “1759 Rowan County Petition to the King,” Linn, *Rowan County Tax Lists, 1757-1800*, 7-12.

⁵⁵ Marjolene Kars, *Breaking Loose Together*, 15; Linn, *Rowan Tax Lists*, 5-6; Ramsey, *Carolina Cradle*, 193; “William Richardson’s Diary” The copy consulted for this work is from housed at the Presbyterian Archives, there is a copy at the Southern Historical Collection at the University of North Carolina at Chapel Hill.

Despite their hesitancy to act in support of the security of the region, colonial and state officials often saw the benefit of having “back settlements” to serve as a buffer zone between Native Americans and more established areas in the east. Even during the French and Indian War, the colonial assembly tried to encourage settlement in the backcountry “so as to extend our frontiers and form a barrier against the incursions of the French and Indians will tend greatly to be discouraging the very heart of the province open to any invasions.” Despite the threat to the settlers’ lives, the North Carolina Colonial Legislature suggested that those settling in the backcountry should not be required to pay public taxes for the first few years of settlement.⁵⁶

Colonial officials promoted the use of Indian allies in the war as a means of protecting the back settlements, and given their diminished standing in the region, which was being further exacerbated by a Small Pox outbreak the Catawbas were more than willing to assist. The Indian allies served the colony far better than the few scattered forts ever could. At the same time the Cherokees and the Creeks were using their alliance with the French to defend territory settled by whites, especially in South Carolina. The violence was sporadic and often times might deescalate to more minor offences such as stealing horses from settlers. On one occasion, Catawba volunteers that retrieved stolen horses from the Cherokees for the settlers. Under the leadership of the

⁵⁶ F. Scott Philyaw discusses the use of the backcountry as “buffer settlements” in his work, *Virginia’s Western Visions*, xxiv; Legislative Journal, September 25, 1755, *Colonial Records*, 5:498; The Humble Address of the Council and Assembly of North Carolina, *Colonial Records* VI:476-478.

politically savvy King Hagler, the Catawba saw not only the chance to fight their old Cherokee enemies, but also an opportunity to better their standing in the colonists.⁵⁷

Historian James H. Merrell has shown how this relationship with the white settlers may have benefitted the Catawba in the short run by providing them with food and clothing during times of famine and disease; however, it ultimately destroyed their culture.⁵⁸ As King Hagler put it, “white people were now seated all around them and by that means had them entirely in their power.”⁵⁹ By the time of the Revolution, the Catawba had confined themselves to a reservation in order to save what little land they could still claim and became heavily reliant on white settlers for food, clothing and education. Although the Cherokee remained a formidable force in the western reaches of the frontier with the subjugation of the Catawba, white settlers had full run of the backcountry.

Fighting with the native inhabitants also created an avenue for social mobility for the white settlers as involvement and especially leadership in the militia could increase ones in the growing region. Militia records are the first documented appearance of many of the individuals that will become leaders in the region, and many of those serve as officers. Fighting the Indians also provided financial gain. Individuals, who may or may

⁵⁷ Copy of a Conference held with the King and his Warriors, *Colonial Records*, 5:581; King Hagler and Sundry of his headmen and warriors, *Colonial Records*, 5:144a; Governor Dinwiddie to Governor Dobbs, December 13th 1755, *Colonial Records*, 5:446; Merrell, *The Indians' New World*, 143-144, 192-193; E. Lawrence Lee, *Indian Wars of North Carolina 1663-1763*, (Raleigh: Divisions of Archives and History, 1997), 65; “William Richardson’s Diary, Nov. 5, 1758”

⁵⁸ Merrell, *The Indians New World*, 166, 201-205.

⁵⁹ Copy of a Conference held with the King and his Warriors and King Hagler and Sundry of his headmen and warriors *Colonial Records*, 5:142, 582.

not have been part of an organized militia could turn in scalps and receive £10 as long as they swore an oath that they were the one who took the scalp. Hugh Waddell and John Frohock led a party of volunteers against the Indians and received £100 for ten Indian scalps from the colonial government. This activity not only advanced them financially, but leadership roles in the militia advanced them politically. Both men eventually represented Rowan County in the Colonial Assembly.⁶⁰

As Native American and white cultures collided, they were immediately placed at odds with one another and through this process, a society was created. The clash would be disastrous for the Catawba Indians and would alter their society forever by connecting themselves to the white settlers for their economic and physical survival. Though the Cherokee Nation was not destroyed as a result of the combined conflicts, famine and disease, but it was greatly weakened. The indiscriminant violence committed by the white settlers and the Cherokee would create a tension that persisted throughout the Revolutionary era. At the same time, dealing with Native Americans would form a major aspect of the culture of the southern backcountry that would define their society, create a local elite, and would ultimately play a role in deciding the backcountry's place in colonial politics.⁶¹

⁶⁰ Report of the Committee of Public Claims, Held at New Bern, on Thursday The 1st Day at May A.D. 1760, *State Records*, 22:822-823; "An act for Granting Aid to His Majesty, 1760," *State Records*, 23:517; Cheney, *North Carolina Government 1585-1979*, 45-46.

⁶¹ Anderson, *The Crucible of War*, 468; Oliphant, *Peace and War on the Anglo-Cherokee Frontier, 1756-63*, 31.

The settlement and formation of the Rowan and Surry County in the North Carolina backcountry was not only a time of great physical change for the region, but it was a time of extreme social, cultural, and political shifting. As this chapter has shown, the string of protest that spanned 1760-1770 known as the Regulation was just the capstone of this process. White settlers were struggling to organize a society all anew and find their individual places in it. They were also struggling to find their place in the larger colonial government, which saw them roughly as second class subjects.

Meanwhile, the Catawba Indians were trying to adapt to the changing demographics and power of the region. The Cherokee were struggling to resist the encroachments of the white settlers. The formation of Surry County and the end of the Regulation in 1771 was far from the end of the process of regulating society. It would continue on and for some, it would culminate into resistance to British authority; for others, it would draw them closer to the British Empire.

CHAPTER II

“NEW ENGLAND HAS POISONED THE WHOLE.” THE BACKCOUNTRY’S MOVEMENT FROM REGULATION TO REVOLUTION 1774-1776.

On August 17th, 1775 Robert Lanier and Joseph Williams traveled through Bethabara on their way to the Provincial Congressional session for North Carolina that was meeting nearly 70 miles away in Hillsborough. The two men had decorated their hats with buck tails, which was a fashion statement that represented support for American Independence. While they were in the Moravian village, Lanier and Williams purchased over twenty more buck tails to distribute among their associates for a powerful display of a new found group identity.¹ This expression of solidarity was a significant shift for Surry County, which had still not completely formed a committee of safety as neighboring Rowan County had done a year before and had since become one of the most active committees in the colony.

The years between the Regulator uprising and the American Revolution were not the calm before the storm for the North Carolina backcountry. Many individuals were still working hard to reorder their society, and by 1774, some individuals were revolting against the British Crown. Even if this process was not intentionally divisive, it diminished British authority as backcountry society and American society in general developed on its own. Gary Nash has noted that between 1774 and mid-1775, “nearly

¹ Bethabara Diary August 17, 1775, *Records of the Moravians* II:904.

everyone in eastern North America had to make the most important decision of their lives.” For a variety of reasons, those transitions came at different times for Surry and Rowan County. Despite the obvious connections between Surry and Rowan, these connections were not enough to create sense of regional unity in the North Carolina backcountry during the Revolutionary period.²

Trade with other colonies dominated the economics of Rowan County with Salisbury being the central hub of this trade. Surry County was also involved in trade, but not to the wide extent of Rowan where a wider variety of individuals were taking part in the economy. Being connected through trade Rowan County merchants realized the benefit that the Revolution would provide them. When Surry County does get involved their move towards revolution was led by merchants. Economic activity was not the only differences between the two counties. After the county borders were set in 1771 Surry County had a large number of Moravian inhabitants that controlled much of the county’s economic activity. The economic prominence gave the Moravians a good deal of clout in political matters, and the Moravians supported the idea of Revolution, but opposed direct activity in it. This left Surry County largely divided on whether or not to get involved. The escalating factor that was propagandized in order to achieve political solidarity and to swell militia ranks was the threat of violence from the Cherokee who were using to Revolution to regain lands they had lost during the 1760s. This would ultimately create a

² Robert McCluer Calhoun, *The Loyalists in revolutionary America, 1760-1781* (New York: Harcourt Brace Javanovich, Inc, 1965), 42; Nash, *The Unknown American Revolution*, 150.

Whig dominated government, but the political atmosphere remained highly volatile as the efforts to garner solidarity would push many to support British authority.

“Unrestrained and arbitrary tribunals”

In the Spring of 1774, the House of Burgesses met in Williamsburg, Virginia and established a Committee of Correspondence for all the Colonies. This was simply a way for various local governments to communicate throughout the colonies in the midst of the crisis that was forming into the Revolution. The epicenter of Revolutionary activity, Boston, had created its committee a year before. The real significance of this action was that it was the first step toward removing British Colonial authority and replacing it with numerous local governments that would function throughout the Revolution. This process was solidified with the First Continental Congress in the Fall of 1774, which ordered the creation of committees throughout the colonies. Robert Calhoon argues that these committees added a sense of permanence and legitimacy to the Revolutionary movement because they were comprised of elected officials. The Revolution was no longer just mobs and petitions but an elected form of government.³

The committees of safety gradually assumed governing power over North Carolina during the summer of 1774. These “unrestrained and arbitrary tribunals” as Governor Joseph Martin referred to them, served as a form of local government with few limitations; however, they did answer to the district committees and congress. The

³ These committees had begun as early as 1773 but were merely Committees of Correspondence which served as a means of exchanging and spreading information about issues that pertained to the growing tensions between England and the American Colonies. Watson, “The Committees of Safety and the Coming of the Revolution in North Carolina, 1774-1776,” 131; Nash, *The Unknown American Revolution*, 166, 178; Calhoon, *The Loyalists in Revolutionary America*, 295.

Committee of Correspondence presided over all committees, and the Provincial Council, which replaced the Colonial Assemblies for each state, held executive power over the committees. But as historian Robert Ganyard has pointed out, these checks and balances provided only “a measure of direction” to the movement. The committees of safety communicated among each other largely by sharing information on suspected loyalists; they also exchanged information on obtaining needed supplies such as powder and lead. The county and town committees held the greatest power. These local committees could arrest and question individuals and, if necessary, hold them until a trial. They oversaw everything from militia activities to debt collecting. When British Colonial authority began to fall apart in 1774 it was replaced by hundreds of local governments that supervised the day-to-day activities of their communities, and eventually, the war.⁴

Rowan County and Salisbury quickly followed the orders of the Continental Congress and formed committees of safety in 1774. Rowan County had the most active and powerful committee in the western counties. Forming a committee was far from declaring independence. Committees were slightly organized forms of protest and

⁴ For a diagram on how the provincial government was structured see, Cheney, *North Carolina Government, 1585-1979*. As Committees of safety took over counties did not undergo a complete break from British authority. The Colonial Assembly still met in North Carolina until April 1775 but Governor Martin (1771-1775) refused to call a meeting of the Assembly in 1774 in hopes of shutting the protest down, which was a tactic that had worked during the Stamp Act Crisis in North Carolina. North Carolina calling for the meetings of a Provincial Congress was in direct retaliation of Martin’s actions. R.D.W. Connor, *Revolutionary Leaders of North Carolina* (High Point: State Normal College, 1916), 16; DeMond, *The Loyalist in North Carolina During the Revolution*, 30-32,62; Ganyard, *The Emergence of North Carolina’s Revolutionary State Government*, 32, 53; Powell, *North Carolina Through Four Centuries*, 179; Blackwell P. Robinson, *The Five Royal Governors of North Carolina, 1729-1775* (Raleigh: The Carolina Charter Tercentenary Commission, 1963), 63; *Colonial Records IX*:1191; *Colonial Records Vol. X*:11; Watson, “The Committees of Safety and the Coming of the American Revolution in North Carolina,” 132, 138, 148.

remained in the realm of what Wayne Lee refers to as “careful rioters.” The first meeting of the Rowan Committee of Safety began with the reassurance of the county’s allegiance to the King of England. When Surry County formed its Committee of Safety nearly a year, later the journal for that committee bore the inscription “Liberty or Death, God Save the King” on its front cover. As much of a contradiction as this may seem, it was simply a very well thought out legal maneuver on the part of these committees. After the Glorious Revolution of 1688, the English Bill of Rights granted all citizens the right to rebel against the government if their rights had been violated. This careful wording emphasized that the colonial rebellion, at least at this time, was focused on a corrupt government, not the King at its head.⁵

The committees were significant because they pushed many of the established leaders out of power; Gary Nash has noted that they brought individuals that were not as well established in leadership to the forefront. Shifts in the ruling elite were not the case in Surry or Rowan County. For these two counties, the forming of the committees of safety represented the conclusion of years of regulating, reforming and jockeying for power among the settlers in the region. The infant county of Surry was now a maturing adolescent with an established elite made up of very familiar names in county leadership before, during and after the revolution.⁶

⁵ Ganyard, *The Emergence of North Carolina’s Revolutionary State Government*, 32, 53; Lee, *Crowds and Soldiers*, 139; Watson, “The Committees of Safety and the Coming of the Revolution in North Carolina,” 134,154.

⁶ Nash, *The Unknown American Revolution*, 89.

The Affairs of Boston

In August 1774, the Committee of Safety for Rowan County held its first meeting in Salisbury, North Carolina. As part of this meeting, the representatives passed nearly seventeen “resolves” that would form the provincial government for the county. Resolve number six stated that, “The Cause of the Town of Boston is the common cause of the American Colonies.” At this time, Surry County had no such committee and would not organize one until more than a year later. In April of 1775, Surry’s inhabitants did elect delegates to represent them at the provincial congress for the colony. They elected Robert Lanier, a “liberty man,” and James Glen, a known Tory. Surry County sent these two delegates to New Bern where their constituents instructed them “not to mix in the affairs of Boston.”⁷⁷

These infant counties were accustomed to regulating their society in hopes of forming a government that worked in their favor. Much of the activity associated with forming committees of safety would have stood out little in this environment, thus the big step in forming committees was not critiquing the political institutions. This happened fairly often. The big step, for Surry County especially, was linking together with something that spanned outside the region and outside the colony itself. Revolutionary activity was centered in and sprouted from Boston. William Bamford, a British officer, described the phenomenon by stating that “New England has poisoned the whole.” The

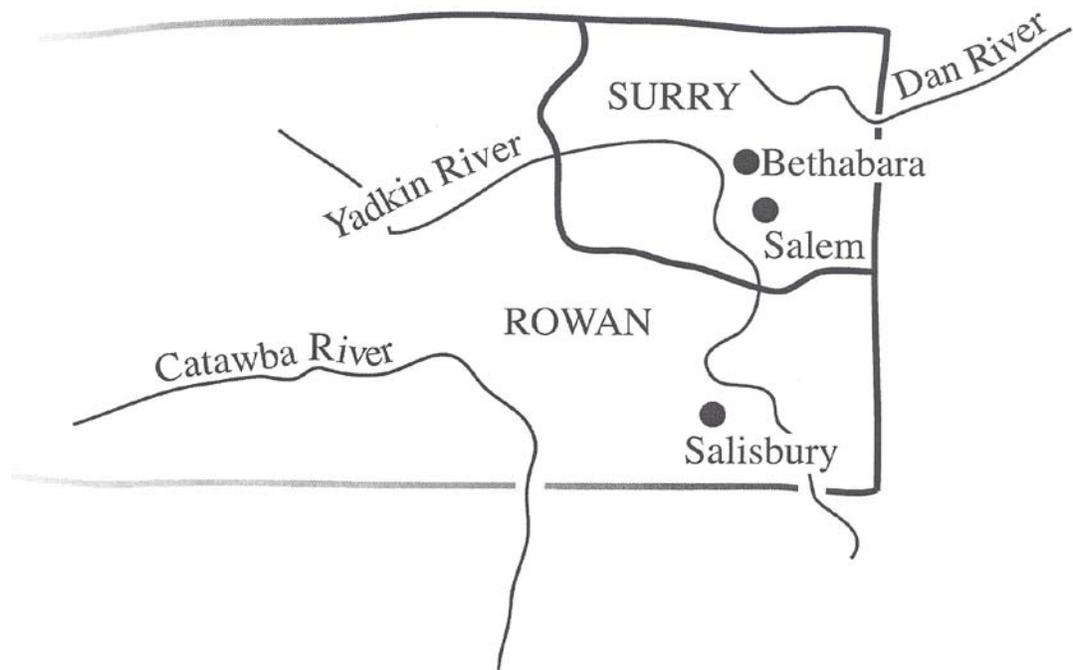
⁷⁷ Boston had become the center focus and “rallying point” throughout the colonies, not just North Carolina. Watson, “The Committees of Safety and the Coming of the American Revolution in North Carolina,” 131; Proceedings of the Committee of Safety for Rowan County, September 23, 1774, *Colonial Records*, IX:1072-1075; Bagee Manuscript March 24, 1775, *Records of the Moravians* II:843.

big question for the backcountry was why attach themselves to a movement centered so far away? The hesitancy of Surry County to form a committee of safety might not have been out of a lack of patriotic zeal but more an indication that localism dominated the area's political concerns.⁸

This concern over local matters was not so extreme as to completely isolate the North Carolina backcountry from the wider world. Rowan and Surry County participated in the larger system of trade that spanned the American Colonies and the Atlantic Ocean. Despite the fact that Rowan County was two hundred miles from the nearest sea port at Wilmington, stores and taverns throughout the North Carolina backcountry still offered a variety of goods from Europe and were in no way completely sustained by goods produced exclusively within the region. Exchange of goods was coupled with the exchange of ideas and information, thus exposing the backcountry to the greater political and social movements of the day. The localism that prevailed in the region was not out of ignorance or disconnection; it was a political ideology all its own.⁹

⁸ Joseph S. Tiedemann, "Patriots by Default" *The William and Mary Quarterly* Vol. 43, No. 1 (January, 1986), 39; Albert Tillson, defined localism as "a preoccupation with local matter to the exclusion of any substantial involvement in the outside world." "The Localist Roots of Backcountry Loyalty: An Examination of Popular Political Culture in Virginia's New River Valley." *The Journal of Southern History*, Vol. 54, No. 3 (August 1988), 387-388.

⁹ Thorp, "Doing Business in the Backcountry," 387, 389, 399.



Map 2. This map shows the layout of the major urban centers for Surry and Rowan County at the time of the Revolution. The western borders of Rowan were not clearly defined at this time. Map courtesy of Theresea Shugart and Susan McCloud.

Many historians have shown that rural areas were politically centered around towns, which dominated economic, political, and public life. These towns then influenced the surrounding area through their social, political and economic institutions. As mentioned in the previous chapter, Salisbury was the political and economic center of the North Carolina backcountry. Situated in Rowan County, Salisbury had trade connections with urban centers all along the seaboard, but the bulk of trade was with Charleston, South Carolina.¹⁰ The Moravian town of Bethabara, which ended up in Surry

¹⁰ Towns being the center of political culture is typical of the eighteenth century and is seen in many rural regions such as Connecticut and Massachusetts leading up to the American Revolution. Calhoon, *The Loyalists in Revolutionary America*, 281; Thorp, "Doing Business in the Backcountry," 400.

County after the county borders were redrawn in 1771, developed into a major trading center in its own right, though perhaps never as significant as Salisbury. The Moravians operated a store in Bethabara imported and exported goods with Charleston, and wagons traveled back and forth between the two at least twice a year (Map 2). In 1773, this trade had grown significant enough that colonial leaders were trying to figure out a way to keep more of the profits instead of relinquishing their earnings to South Carolina. Colonial leaders sought to accomplish this goal by establishing a public road connecting Surry County to the most northwestern section of the Cape Fear River near Cross Creek (Present day Fayetteville), which would directly connect it to the major markets on the coast.¹¹

The chief export for these backcountry towns in Surry and Rowan was deerskins. This trade was initially dominated by the Cherokee Indians to the south and west of the backcountry settlements. This trade allowed them to obtain European goods that they were quickly becoming reliant on. This trade connected the Cherokee to the white settlers and merchants in a symbiotic economic exchange. By the 1760's and shortage of game due to over hunting, and increased competition from white hunters were slowly cutting the Cherokee out of this valuable trade and white settlers were reaping more of the benefits from the skin trade. Unlike other natural resources such as lead mining which required large operations to take part in, deerskins allowed almost anyone to take

¹¹ "Governor Martin to the Earl of Dartmouth, May 30th, 1773," *Colonial Records* IX:659; Thorp, "Doing Business in the Backcountry," 390, 402. Robert Calhoon describes the Moravians as "carriers of Atlantic World cosmopolitanism" and their political intuitiveness and leverage was evident by their large land purchase from the British Speculators that dominated the region. *Political Moderation in America's First Two Centuries* (New York: Cambridge University Press, 2009), 154-155.

part in the exchange economy. Professional hunters, commonly known as “long hunters,” could turn in a whole season’s worth of skins to a store, perhaps hundreds at a time. Local settlers could also turn in what few skins they may harvest to provide a little extra money for their families. These skins were taken to Charleston by wagons, and those wagons returned with the latest goods brought into Charleston from Europe. Historian Daniel Thorp has estimated that the Moravian store in Bethabara exported six percent of the skins that were shipped out of Charleston bound for Europe in the 1760’s.¹²

It is clear that the backcountry was physically and economically connected to the other colonies as a whole, but this attachment did not result in automatic uniformity in political ideology. What caused Rowan to adhere to revolutionary ideology faster than Surry may have been the stronger economic ties that they cultivated through trade and the many travelers moving through Salisbury’s numerous taverns. Also, the economy and political structure of Rowan were slightly more mature than what existed in Surry. Whatever the reason, the backcountry of North Carolina hardly formed a unified front as the colony began to move toward revolution.

Backcountry Localism

Before Surry County went so far as to form a committee of safety, they did elect delegates to represent Surry in the provincial assembly in New Bern in the spring of

¹² Dorothy V. Jones, *License for Empire: Colonialism by Treaty in Early America* (Chicago: The University of Chicago Press, 1982), 111; Thorp, “Doing Business in the Backcountry,” 392.

1775. Their choice of delegates reflected their hesitancy or confusion as to which way the county would move. They chose Robert Lanier, who had been a staunch anti-Regulator and was closely associated with Martin Armstrong in that conflict and the controversy over the location of the courthouse that followed. He had also served Surry County as a representative to the Colonial Assembly every year since Surry was formed to 1774. By the time of his appointment as representative, Lanier was identified as a “Liberty man.”¹³ The second delegate chosen was James Glen, a known loyalist. Little is known about Glen prior to this. He does not appear in a Surry County Tax List until 1774, indicating that he might have been very new to the region at the time of his appointment as a representative. He lived in the southern section of the county which later became Forsyth County. With no prior elected offices in the county or region, Glen was a possible newcomer who achieved a prominent position in a short time this was the kind of an opportunity that a growing backcountry region could offer a newcomer.¹⁴

James Glen and Robert Lanier were elected to serve the county at the provincial congress twice, but why would a county elect two individuals that would clearly be opposed to one another’s ideas? Which one really represented the ideas of the county? Perhaps the motivation behind the decision was to play the safe side, which would allow the county to jump back and forth to whichever side of the fence they needed to for their own self interests. Perhaps it may represent what historian Adelaide Fries referred to as

¹³ Fries, *Records of the Moravians* II:843.

¹⁴ Cheney, *North Carolina Government, 1585-1979*, 54-56; Fries, *Records of the Moravians* II:843; Luther N. Byrd, ed. *Tax Lists for Surry County, North Carolina for the year 1774 with a partial listing for 1775* (Westfield, N.C.: Privately Published 1947), 11.

the “utmost confusion” that marked the political atmosphere in the North Carolina backcountry in 1775.¹⁵

The best source of evidence about the North Carolina backcountry comes from the large population of Moravians who resided in the towns Salem and Bethabara, located in Surry County. They opposed any violence due to their religious convictions, but were politically active in the region. Given their number, their presence likely held some influence in the county. Based on their writings, the Moravians saw Surry County officials as taking a much more moderate stance than Rowan. Even though the Moravians eventually embraced the Revolution, they feared the social upheaval the Revolution might bring. They saw acts of rebellion, such as the Regulation, as lawlessness. By July of 1775, some Moravians were still advocating alliance to King George for the simple reason that doing otherwise could bring chaos. The Moravians believed that if there was something they could not change they should endure it. The Moravians were especially concerned when the religious rhetoric that was associated so much with the Revolution, and the Continental Congress’ call for prayer and fasting were ignored. These were ominous signs to the Moravians.¹⁶

The Moravians had every reason to be concerned that patriotic zeal might turn to violence and lawlessness. In June 1775, Mecklenburg County’s committee of safety was taking a hard line stance and was becoming frustrated with the lack of support from

¹⁵ Fries, *Records of the Moravians* II:842-843. James Glen and Robert Lanier were elected to serve a second time as delegates for Surry County but the second meeting of the assembly never occurred because Gov. Martin had by that time fled to Fort Johnston for safety.

¹⁶ Diary of the Salem Congregation June 29-July 26, 1775, II:841-843, 876-878, 883.

groups like the Moravians, and perhaps Surry County in general. That summer, Mecklenburg had sent word throughout the region of their intentions to force individuals or groups to sign a declaration as to whether or not they “hold with the King or with Boston.”¹⁷

The lack of a committee in Surry County was perhaps news to the rest of the colony, since by July, 1775 the non-existent committee of safety for Surry County was already receiving correspondence from the State meetings at Hillsborough. This push from other areas may have caused Surry County’s leaders to realize that it would be very difficult for them to continually sit out of this process. Also in July, Joseph Williams, a prominent merchant and community leader in Surry County, sent word throughout the county that forming a committee was imminent. Williams and other Surry County leaders felt the Moravians and others should be notified and the purpose of the committee and the expectations of everyone should be made clear.¹⁸

A sense of hesitancy prevailed throughout Surry County, even after Surry formed its committee of safety. By July of 1775, members of the Committee of Safety for Surry County were actively carrying out the “Resolves of the Continental Congress,” but they were also pushing peace negotiations between the colonies and England. By the end of the Summer of 1775, any such negotiations were falling apart and many in Surry County, particularly the Moravians, were “not prepared to believe” that peace negotiations were

¹⁷ Salem Diary, June 27, 1775, Diary of the Salem Congregation, July 20 1775, *Records of the Moravians* II:875-877.

¹⁸ Jo. Williams to Mr. Traugott Bagge, July 10th, 1775, *Records of the Moravians*, II:938-939.

failing. Nevertheless, by early fall 1775, Surry County began enlisting soldiers to fight the Revolution.¹⁹

Religious divisions in Surry County created another problem for the forming of a Committee of Safety, as the Moravians refused to take part in the committee. Martin Armstrong approved of the Moravian's refusal to take part in the committee of safety. Armstrong's approval would not be enough to protect the Moravians against suspicions of disloyalty to the cause of the Patriots that would increase dramatically as war progressed. The justice of the peace among the Moravians was no longer allowed to issue warrants on debts, and according to the Moravians, was essentially removed from office. Other Moravians had to appear before the committee of safety and explain why they refused to serve. When the Moravians explained that to serve would go against their conscience, their explanation was accepted.²⁰

The presence of the Moravians and their refusal to serve placed Surry County in an awkward spot within the North Carolina Assembly, since such a large portion of the county's population was not taking an active role in the Revolution or provincial government. Some North Carolina committee members suggested that the Moravians should not be allowed to vote because of their views. Surry County leaders, including Martin Armstrong and Joseph Williams, successfully challenged these members because

¹⁹ Diary of the Salem Congregation, July 7th 1775, Diary of the Salem Congregation June 29, July 22, September 15, 1775, Bethabara Diary August 29th 1775, Bethabara Diary, September 17, 1775, *Records of the Moravians*, II:876-877, 883, 905.

²⁰ Diary of the Salem Congregation August 25, 1775, August 26, 1775, and August 28, 1775, *Records of the Moravians*, II:882-883.

if the Moravians were denied a vote, Surry County would not have enough voting inhabitants to take part in the assemblies and would essentially fail to exist as a political entity.²¹

The Business of Revolution

One important role that the committees of safety played in the revolutionary period was to control business transactions that were carried out in their jurisdictions. The committee for Rowan County held enough power over commerce that individuals from other counties, both in and outside of North Carolina, could not do business with any merchant in Rowan without permission from the committee. This permission was based on whether or not certain merchants followed the rules set forth by the committee and the Colonial Assembly. The committees of Surry and Rowan determined prices for certain necessary goods and controlled the collections and distribution of debts. Anyone suspected of not following these rules was deemed an enemy of the country. If an individual was not in favor with the committee of safety, or even attempting to be neutral to the political developments, would bring one's business dealings to a complete halt.²²

At the same meeting of Surry County's Committee of Safety where the rule regulating business transactions was established, John and Will Kelly were called before

²¹ Salem Congregation Diary, September 15, 1775, *Records of the Moravians*, II:883.

²² The Rowan Committee of Safety stated that trade would be broken off from any persons who "refuse, decline, or neglect to carry into execution" the rules not only set up by the county committee but also the rules of the colony as a whole. Meeting of the Rowan Committee of Safety, September 23, 1774, *Colonial Records*, IX:1073; Watson, "The Committees of Safety and the Coming of the American Revolution in North Carolina, 1774-1776," 139.

the committee to answer the charge of selling powder at a higher rate than what was deemed necessary. The two men confessed to selling powder at ten shillings a pound. The committee determined that this price was too high and five shillings was a sufficient price for powder and declared that anyone who sold powder for more than the agreed upon amount was “an enemy to his country.” The two men immediately turned on one another; Will Kelly argued that it was his intention to sell the powder cheaper than anyone in the region, but John Kelly would not allow him to. By the end of the meeting, John Kelly proclaimed he would never sell powder for as little as five shillings. No punishment was handed down at that time, but to be sure this was a terrible business decision on the part of John Kelly.²³

Another aspect of business regulation that perhaps was even more powerful than the control of prices was the control of debt and debt collection. By the time of the Revolution the economy of the backcountry was not fully developed in an organizational sense. In the backcountry, merchants had begun to serve the same purpose as banks, which were largely non-existent. Backcountry farmers were always in need of easy credit, and merchants were more than happy to fill that void. When debts could not be paid, these would-be bankers took debtors to court to collect. Daniel Thorp has pointed out that Hugh Montgomery and other Rowan County merchants “spent as much time in court as they did in their store or tavern.”²⁴

²³ Meeting of the Rowan Committee of Safety, September 23, 1774, *Colonial Records*, IX:1074.

²⁴ Crow, “Liberty Men and Loyalist: Disorder and Disaffection in the North Carolina Backcountry,” published in Ronald Hoffman, Thad W. Tate, and Peter T. Albert eds., *An Uncivil War: The Southern*

The eighteenth century colonial economy was based on credit and debt, and historians have argued that debt was one of the major causes leading to the Revolution. Notes of credit were used in place of cash throughout the colonies. The argument can be made that debt created the links held colonial society together. Local records in Surry and Rowan County indicate that individuals would form business groups where the continually bought, sold, traded and borrowed from similar individuals and formed something of a business cohort. By the time of the American Revolution, the debt of the American Colonies to England was over five million pounds, with some of the heaviest debt centered in the southern colonies. The years preceding the American Revolution saw the collapse of this system and a financial crisis that altered the relationship between the colonies and their British creditors. This crisis would be even more detrimental to the fragile backcountry economy. Gary Nash explains that the British Atlantic economy suffered a bankruptcy in 1772, which resulted in English merchants suddenly demanding payment on debts, owed to them by merchants in the colonies. These merchants often could not afford to pay these debts which created a snowball effect through merchants, retailers and shopkeepers at every level in colonial society and created a credit crisis in the colonies. Merchants began calling in their debts at the local level to pay what they owed to their creditors in Great Britain and then passed their debt onto their customers. Being part of the Atlantic economy was risky because a financial crisis that began in

Backcountry During the American Revolution (Charlottesville: The University Press of Virginia, 1985), 133; Daniel Thorp, "Doing Business in the Backcountry," 392, 407

English banks could quickly land colonial farmers, artisans, and laborers in debtors' prison.²⁵

The ability to issue credit and, more importantly, to collect on those debts, were crucial in an economy such as the one seen in the American colonies, particularly in the backcountry. The first meeting of the Surry County Committee of Safety in 1775 addressed the issue of debt. The committee recommended that no issue or collection of debt should be carried out with the exceptions of those that had already been issued. If a creditor feared that he would lose his investment and must therefore collect on a debt, he had to have the committee's permission to do so. The intention of this resolve may have been in the best interest of maintaining the peace and the county's economy; however, the result may have been much more self-serving. This system enabled those who were connected to the committee to either have the advantage for collecting payment or to help those individuals put off paying.²⁶

Members of the Surry County Committee of Safety were some of the most active debt collectors in the region. Robert Lanier and Joseph Williams owned a mercantile business together. These two men sold and traded beef with the Moravian towns, and also dealt heavily in land purchases in both Surry and Rowan County. As owners of a mercantile business, these men served as a bank in the region and the two were very

²⁵ DeMond, *Loyalist in North Carolina During the Revolution*, 23; Emory G. Evans, "Planter Indebtedness and the Coming of the Revolution in Virginia," *The William and Mary Quarterly* 19 No. 4 (October 1962): 511; Nash, *The Unknown American Revolution*, 92-93.

²⁶ "Proceedings of the Safety Committee of Surry, August 26th, 1775" from J. G. Hollingsworth, *History of Surry County or Annals of Northwest North Carolina* (Greenville, S.C.: Southern Historical Press, 1935), 75.

active in handing out loans to settlers who used land and livestock as collateral. On one court date, Lanier and Williams registered two deeds of trust, one indenture, and one land purchase of 200 acres which illustrates the success of their undertakings.²⁷

Of course giving out loans also means the collection of debts. Between 1772 and 1775, the two were very active in calling in debts. Since the records for Surry County begin in 1771, it is impossible to tell if this activity was sudden or unusual. Perhaps it is a result of the financial crisis described by Gary Nash. It is clear that Robert Lanier and Joseph Williams were the most active in buying, selling, and handing out credit. The records do not specify that they were collecting on debts. If they were not calling in debts, then some Surry County inhabitants simply decided to sell Lanier and Williams all of their worldly possessions, including structures they were living in. Why would someone make such a sale? Even if they were moving out of the area, they would take some of their belongings with them. One example of such a sale is of Joshua Frost, dated 1774, in which Frost sold to Lanier, Williams, and John Armstrong an improvement of land, saw and grist mill, one yoke of oxen “of the best kind,” one log carriage and chain, and utensils for the mill. Historian Woody Holton has shown that due to the depreciation of the value of currency many debtors were forced to pay far more than they originally borrowed, so a small loan could eventually cost someone their entire farm, as in the cases above.²⁸

²⁷ Surry County Deed Book I, Register of Deeds Office, Dobson North Carolina, 26-30.

²⁸ Surry County Deed Book I, 53-55; Woody Holton, “Did Democracy Cause the Recession That Led to the Constitution?” *The Journal of American History* Volume 92, No. 2 (September 2005), 446.

The question that remains and that cannot be clearly answered is whether or not Lanier and Williams were using their position on the Committee of Safety to gain an advantage in being able to collect debts, perhaps out of pressure from their own lenders. Or were the two of them were suddenly calling in many debts at once knowing that a moratorium may be placed on collecting debts. Three such sales to Lanier and Williams were made between 1772 and 1775. Even though they span three years, the transactions were not recorded in county records until the August Court of 1775, the same month the Surry County Committee of Safety resolved that debts should not be collected without consulting the committee first.

Creating A New Society With Free Labor

As backcountry inhabitants became accustomed to regulating society to reform the political system to fit their needs, the idea that the American Revolution could provide the opportunity to create a new society gained ground. The goal was to create a society in which the backcountry elite, which would not be elite anywhere else in the colonies, would rule. The backcountry settlers were certainly lower in status than most anyone in the eastern parts of the colony, where much of the economy and economic power were focused. Gary Nash has pointed out that it would be the wealthy elites that were more likely to restructure society away from the “paternalistic, hierarchical” systems that did not benefit them.²⁹

²⁹ Gary Nash, *The Urban Crucible: The Northern Seaports and the Origins of the American Revolution* (Cambridge: Harvard University Press, 1986), 4.

Historians have clearly shown that the political institutions of North Carolina were strongly weighted in the east; this benefitted the colonial gentry that resided there and had access to political leaders, while the yeomanry played a minor role at best in politics. Through the formative years of 1762-1775, Rowan, and later Surry County, only had two representatives in the Colonial Assembly due to their population. The counties that had as many as five representatives were centered located in the northeastern corner of the state, giving the backcountry a major disadvantage in colonial power.³⁰

Paul Escott and Jeffery Crow have gone further to point out that not only did the east monopolize the political power in the colony; it was also an “oligarchy of slave holders.” Being slave holders not only created the financial wealth necessary for political power, but it also created a culture of dominance among the slave owning class. Throughout colonial society, slave owners were allowed to exert force over their slaves and other groups deemed inferior, such as lower class whites, individuals without strong political ties, which would include almost everyone in the backcountry. This system worked largely in favor of the eastern gentry and was growing in the years prior to the Revolution. Historians Marvin L. Michael Kay and Lorin Lee Cary have argued that the lower Cape Fear region in North Carolina would have “resembled the South Carolina low

³⁰ For a map that illustrates the discrepancy in representation in North Carolina see, Cheney, *North Carolina Government 1585-1979*, 50.

country” as slave imports into North Carolina increased from 18,000 annually to 41,000 a year in just over a decade between 1755 and 1767.³¹

A system such as this could only create an uneasy social structure at best. This would be especially true in the backcountry where inhabitants had already revolted against such a power structure in the Regulator movement. One way to remove the power of this oligarchy’s would be to remove slavery, or at least keep it in the east. The backcountry was already developing without a heavy reliance on the institution of slavery. Historians Paul Escott and Jeffery Crow have shown that the black population of the North Carolina backcountry a decade prior to the Revolution was just over 7 percent.³²

Colonies began to abolish the slave trade during the revolutionary era, including the southern colonies of Virginia and North Carolina, in 1774; however, this ideology was in the backcountry as early as 1755. As part of his “regulating” of colonial society, Herman Husband discussed how the ideal society for the yeoman backcountry farmers was what would later be described as “free labor.” According to Husband, the

³¹ Paul D. Escott and Jeffery Crow, “The Social Order and Violent Disorder: An Analysis of North Carolina in the Revolution and the Civil War,” *The Journal of Southern History* 52, no. 3 (August 1986), 378; Jack Greene has argued that a very similar political atmosphere was established in Virginia by the 1760’s. “*Virtus et Libertas*”: Political Culture, Social Change, and the Origins of the American Revolution in Virginia, 1763-1766,” from Crow and Tise, *The Southern Experience in the American Revolution*, 58-59; Bradford Wood, “Politics of Authority”, 23; These numbers are based on the research conducted by Marvin L. Michael Key and Lorin Lee Carry. By their estimates in 1767 slaves made up between 22 and 25 percent of North Carolina’s population. *Slavery in North Carolina:1748-1775* (Chapel Hill: The University of North Carolina Press, 1995), 50.

³² Paul D. Escott and Jeffrey J. Crow, “Social Order and Violent Disorder,” 381; Jeffrey J. Crow, “Liberty Men and Loyalist: Disorder and Distraction in the north Carolina Backcountry” from Ronald Hoffman, Thad W. Tate and Peter J. Albert eds., *An Uncivil War: The Southern Backcountry During the American Revolution* (Charlottesville: The University Press of Virginia, 1985), 134.

backcountry could become a new society where poor whites and yeoman farmers could flourish. Marjolene Kars has argued that backcountry elites regularly purchased slaves, perhaps as a means to enable them to work in public offices or achieve other political ambitions. Small farmers resisted slave owning not out of economic reasons, but for the same reason Husband argued-it would disrupt the ideal of the backcountry as being a society where small farmers could flourish. Ultimately, Herman Husband, and no doubt others were disappointed with what they found after arriving in the North Carolina backcountry. Many pushed even further west to continue to follow the pursuit of a region free from the power and influence of slavery. Husband described the situation:

The first stun I got was on a discovery of some northern men who had got a little money was corrupted already from the true Christian and British disposition of encouraging our own poor, but are falling into that practice of buying Negro slaves by which poor laboring white men are discouraged, and consequently the white people cannot neither encrease nor thrive where the treasure of the country is carried from them to the purchase of blacks.³³

Although Herman Husband never specifically used the term “free labor,” the ideology he was putting forward was very similar to the common definition of the term by modern historians. Historian Eric Foner argued that free labor formed two economic conditions: one was that wage laborers could freely seek employment, and the second was small property owning producers of any sort could achieve economic independence. Husband made a similar argument that each slave deprived the region of a productive

³³ Quoted from, A. Roger Ekirch, “A New Government of Liberty” 641; Kars, *Breaking Loose Together*, 22; Samuel Cole Williams, *Tennessee During the Revolutionary War*, 3.

citizen or soldier and denied the King a subject. Furthermore, Husband asserted that the money used to purchase slaves would better benefit society if given to free laborers for their work.³⁴

The disparity of taxation in the colony of North Carolina was another aspect in which slavery played a central role. As a result of the expenses associated with the French and Indian War and after the Cherokee War, taxes throughout the North Carolina Colony were becoming more burdensome. According to Michael L. Marvin Kay, the most important tax in Colonial North Carolina was the poll tax. This tax was injurious to those of lower economic standing and benefited those who had much of their wealth tied up in property and slaves, which meant that it favored the eastern portions of the colony. Backcountry citizens complained of the disparity to colonial officials in 1769 when they suggested that every person should be taxed in proportion to their estate. They realized that since their property was not tied up in slaves as it was in the “Martime parts” of the province, they were at a great disadvantage, even though their estates were in proportion to those in the east, though not in slaves.³⁵

In forming their committees, most North Carolina counties made it clear that the “cause of the Town of Boston” was their cause as well, often reinforcing the embargoes and boycotts of British goods within the county. The Rowan County Resolves echoed

³⁴ Ekirch, “A New Government of Liberty,” 641-642; Eric Foner, *Free Soil, Free Labor, Free Men: The Ideology of the Republican Party before the Civil War* (Oxford: Oxford University Press, 1995), x-xi.

³⁵ Michael L. Marvin Kay “The Payment of Provincial and Local Taxes in North Carolina, 1748-1771,” 220-221; The Humble Petition of us Inhabitants of Orange and Rowan Countys, true and faithful subjects of his Majesty King George the Third, *Colonial Records*, VIII: 81-84.

many of these same sentiments, but when the signers made their resolves, they included a regulation regarding the slave trade. This was not an act seen in any other known North Carolina county. The twelfth resolve of the document stated: “That the African Trade is injurious to this colony, obstructs the Population of it by freemen, prevents manufacturers and other Useful Emigrants from Europe from settling among us, and occasions an annual increase in the Balance of Trade against the colonies.”³⁶

Since Surry County’s leaders never wrote such a document as the Rowan Resolves when they formed their committee of safety, at least not one that exists today, they never made such a claim against the slave trade. By the time Surry formed a committee, it was perhaps unnecessary. Not long after the Rowan Resolves were drafted, the Provincial Congress decided that North Carolina would no longer import slaves or buy slaves that had been imported into the colonies.³⁷

These measures seem to have had little effect. In all of the records of the Rowan Committee of Safety, there is not a single incident of anyone being brought before them for breaking the law ending the slave trade, even though there are examples of almost every other offense in the records. In 1779, a sale of fifty slaves was advertised in Salisbury. The description from the record only said that the slaves were from the South. In a 1781 sale in Salisbury, tavern owners in the Moravian town of Salem purchased a

³⁶ “The Rowan County Committee of Safety,” *Colonial Records*, IX: 1024-1026; The Rowan Resolves can also be found at <http://home.webcorner.com/whigkid/ncrevweb/rowanres.html>.

³⁷ Powell, *North Carolina Through Four Centuries*, 116

“Guniea negress” named Betty to work in the tavern. It would appear that the Resolve against the slave trade was the most neglected resolve established by the committee.³⁸

The contradictions surrounding the issue of slavery are obvious. Many of the members of these committees were slave owners. The fact that they were slave owners helped establish them as elite in the backcountry, even if they could not compete with the elite in the east. The elite that dominated public office in the backcountry were the same elite that Marjolene Kars argued saw the ownership of slaves as a means of nurturing their political ambitions. As Carl Bridenbaugh has pointed out, in trying to build a new society, backcountry inhabitants recreated elements of the society they came from.³⁹

“The Indians detest the back inhabitants”

As the threat of a full scale revolt against Britain became more and more evident, western inhabitants were forced to consider what opportunities Revolution could bring to them. Cherokee leader Dragging Canoe was no exception. He and other Cherokee were very well aware of how a war among the colonists could play to their advantage and perhaps give them the opportunity to retake Cherokee land that had been lost to white incursions. Issues regarding Native Americans had long been an area of contention between backcountry inhabitants and colonial authority. After the French and Indian

³⁸ By 1790 one-ninth of the population of Rowan County were enslaved, and by this time Rowan was the most populated county in the state. Harold Delbert Gilpatrick, *Jeffersonian Democracy in North Carolina, 1789-1816* (New York: Octagon Books, 1967), 16; “Salem Diary May 9, 1779” *Records of the Moravians* III:1303; “Diary of the Congregation in Salem, 1781,” *Records of the Moravians* IV:1697.

³⁹ Kars, *Breaking Loose Together*, 22.

War, the British Indian agent John Stuart began an earnest campaign to stop white encroachment onto Cherokee lands. Stuart found stopping such intrusion a difficult task as he pointed out the “backsettlers pay little or no regards to law or government.”⁴⁰

As early as 1766, North Carolina had drawn a line at the base of the Blue Ridge Mountains—a line that Tryon thought the inhabitants of Rowan County would be “extremely well satisfied” with. Tryon believed such a line would please the Cherokee in keeping the settlers out and would secure the settlements themselves. Tryon was aware that working with the Cherokee would be a sore spot for the settlers. He offered to be present when the boundary line was drawn so that he could meet with both sides and “prevent any little jealousies that might arise between the settlers, and the Indians.”⁴¹

Despite Tryon’s hopes, the inhabitants of the backcountry were not “well satisfied” with the boundary that was drawn, and they kept John Stuart busy being the middle man ferrying complaints back and forth from the Cherokee to the colonial government. In January 1769, he wrote to colonial officials complaining that settlers were skipping over lands and settling right against boundary lines that were considered hunting grounds for the Native Americans. He went on to say that “The Indians detest the back inhabitants” and were “anxious to keep such neighbors at a distance.”⁴²

⁴⁰ Colin Calloway, *The American Revolution in Indian Country: Crisis and Diversity in Native American Communities* (New York: Cambridge University Press, 1995); “Letter from John Stuart to the Earl of Hillsborough, January 3rd, 1769,” *Colonial Records*, VIII:1.

⁴¹ Letter from Governor Tryon to John Stuart, Esq. Superintendent etc. July 30, 1766, *Colonial Records*, 7:244-245; 190; Williams, *Tennessee During the American Revolutionary War*, 16, 24.

⁴² Letter from John Stuart to the Earl of Hillsborough January 3, 1769, *Colonial Records*, 8:1-2

The lack of a clear boundary only exacerbated the problems of hunters moving onto Cherokee land destroying game, which was an issue that John Stuart felt would erupt in a full scale war in the region. Frontier inhabitants, particularly young men wanting horses, also traded rum to the Cherokee. The horses were often acquired by stealing them from other parts of North Carolina or South Carolina. On numerous occasions, colonial leaders passed measures in hopes of curtailing this trade and trespassing, but as John Stuart pointed out, when it came to issues with Native Americans, and Native American land the inhabitants of the backcountry were “in a state of disobedience to all Government.”⁴³

At the same time, white settlers were turning to colonial officials for help in dealing with the Indians regarding murders that had occurred in the region. In 1769, as many of their people were dying of an unidentified epidemic, Cherokee leaders met with South Carolina colonial officials to discuss the violence that had been occurring along the frontier. Cherokee leaders explained that the region had been “full of Northward Indians” and they had probably committed the murders. Leaders argued that the Cherokee could not be blamed for the actions of a few “rouges.” They went on to say that random acts of violence would likely occur when rouges such as these found white

⁴³ Letter from John Stuart to the Early of Hillsborough, January 3, 1769, Letter from Governor Tryon to John Stuart March 28, 1769, “Council Journals April 14th, 1769,” “Letter from Governor Tryon to Lord Hillsborough June 7th, 1770,” *Colonial Records* VIII:1,22,26,210.

men hunting on their land. This statement was a powerful turning of the tables in this political negotiation.⁴⁴

The Cherokee worked well with colonial officials, and by the revolutionary era British flags flew in some Cherokee villages. Peaceful (or at least an attempt at peaceful) relations with the Cherokee and colonial authority created a divide between backcountry inhabitants and colonial authority. Historian B. Scott Crawford has argued that on the Virginia frontier, fear of Native Americans and how to deal with them was the greatest force in breaking down traditional deference to authority in the region.⁴⁵ White inhabitants were well aware that if the Cherokee chose any side in the war it would not be their side, and to white backcountry inhabitants, nothing was more fearful than the prospect of Native American invasions into their territory. This fear that had been implanted in these settlers' minds during the French and Indian War would be enough to make anyone hastily choose a side, regardless of political ideology, with whatever group was willing to fight against the Cherokee.

Fear and rumors spread throughout the region from as far away as Tennessee and Kentucky. The Salem diarist in Surry County had heard that people were fleeing the area around the Holston River in groups due to attacks from the Native Americans who seemed to have a large supply of ammunition, and it was assumed that the supply was

⁴⁴ A Talk from the Cherokee Chiefs Headmen of the Nation to their Father in Charleston, September 22 1769, *Colonial Records*, 7:256-257.

⁴⁵ B. Scott Crawford, "A Frontier of Fear: Terrorism and Social Tensions along Virginia's Western Waters, 1742-1775," *West Virginia History* 2, No. 2 (Fall 2008): 2-3. In this work Crawford explores how the fear of Amerindians shaped the culture and society of the Virginia frontier. A Talk from the Cherokee Chiefs Headmen of the Nation to their Father in Charleston, September 22, 1769, *Colonial Records*, 7:257.

coming from the British. As far back as the early 1770s, broadsides were posted along the Yadkin River stating that the Cherokee were planning to attack the settlements, particularly the Moravian town. The Rowan Committee of Safety was able to use this fear as a recruitment tool by playing on the anxiety over possible Native American incursions. Concern over Native American attacks was also a factor in requesting funds from the populace in order to buy powder and lead to repel such an attack.⁴⁶

The Role of Violence

The other springboard that helped spur Surry County into joining Rowan and other North Carolina Counties in backing the American Revolution was violence. The spring of 1775 had seen an upsurge in violence that was un-paralleled by any other violence associated with the Revolution. As we have already seen, violence was a common factor in the backcountry. But the violence that occurred in Concord, Massachusetts on April 19, 1775 accomplished what even the Boston Massacre could not-it forced reluctant revolutionaries in Surry, Rowan, and countless other communities throughout the colonies to get down off the fence.⁴⁷

In Wayne Lee's work about violence in colonial North Carolina, he argues that the effect that the outbreak of violence had in the colonies has perhaps been underrated by historians. The violence, particularly the events in Concord, were widely viewed as

⁴⁶ Kars, *Breaking Loose Together*, 195; Alan D. Watson, "The Committees of Safety and the Coming of the American Revolution in North Carolina, 1774-1776," 142, 153.

⁴⁷ Nash, *The Unknown Revolution*, 150.

illegal acts on the part of the British, which then legitimized the use of violence by the colonists and pushed the transition from regulating and reform to revolution.⁴⁸

Violence did play a role in Surry County residents' decision to join in the Revolution and form a committee of safety. In a letter used to call the first meeting of such a committee signed by Joseph Williams, Robert Lanier, William Hill, Joseph Winston and Martin Armstrong, they cited the "the present alarming distresses of America" and concern for "Our bleeding countrymen" for their reasons for calling the committee to order for the first time. They also noted that such a committee would protect the "Common Peace, Liberty and Safety" of the region.⁴⁹

Active loyalists in the area also helped push reluctant Surry County towards Revolution. Colonial leaders on both sides of the conflict considered the backcountry a bastion of loyalism in North Carolina. Most of the revolutionary spirit was focused on the seaboard, where the urban areas and the seaboard were more affected by the issues associated with the Revolution. Even if the backcountry was not a loyalist stronghold, it was certainly the stronghold for the apathetic.⁵⁰

⁴⁸ Lee, *Crowds and Soldiers*, 139-140.

⁴⁹ Letter to Traugott Bagge, Jacob Blum and George Hauser from Joseph Williams, Robert Lanier, William Hill, Joseph Winston, Martin Armstrong, August 11th 1775 from, Hollingsworth, *History of Surry County or Annals of Northwest North Carolina*, 73-74; this letter can also be found in, *Records of the Moravians*, II:939.

⁵⁰ Robert L. Ganyard, *The Emergence of North Carolina's Revolutionary State Government*, 34; Joseph Tiedmann makes a similar argument in his case study of Queens New York. Tiedmann states that participation in town government had been declining during the eighteenth century and the political culture of the area was not very active. As late as 1776 only 12 percent of adult males claimed to be Patriots and only 27 percent claimed to be loyalist; however, those numbers were enough to give Queens the label of a loyalist stronghold. Queens did not fully participate or adhere to the patriot cause until the presence of

Loyalists in the Backcountry

The popular image of the freedom loving frontiersman settling the backcountry is quickly shattered once the focus shifts to the prevalence of backcountry loyalism. Historians have struggled to explain why the backcountry had such strong loyalist ties. One of the earliest interpretations used to explain backcountry loyalism was the idea that the region was isolated and therefore not directly connected to patriot ideology or events going on abroad. Recent historiography of the backcountry illustrates that any isolationist theories being applied to the backcountry are completely false.⁵¹

Another early analysis in the historiography of loyalism in the region argued that political affiliation often was divided between new settlers and more established individuals, with loyalism being more appealing to recent immigrants. Recently, Peter Moore's work on the Waxhaw's near the South Carolina and North Carolina border found more validity in this argument. In his case study, Moore argues that new settlers were reluctant to join the patriot cause not because of a particular attachment to Britain, but as a result of social factors that led to "the failure of established settlers to effectively

active loyalist and British troops pushed reluctant patriots in the area of Queens New York to the patriot cause. "Patriots by Default," 37.

⁵¹ Peter N. Moore has argued that a case study of the Waxhaws area in the South Carolina backcountry shows that support of the American Cause often had to do with the length of time settlers had been in the region. Settlers who had been in the region longer were more likely to side with the patriots where as recent immigrants to the area resisted joining until after the British military actually became a physical threat. "The Local Origins of Allegiance in Revolutionary South Carolina: The Waxhaws as a Case Study." *The South Carolina Historical Magazine* Vol. 107, No. 1 (January 2006), 26, 36. Moore's argument is based largely in the analysis of Robert M. Calhoon who argued that loyalism was prevalent among powerless or victimized people. Recent immigrants into an already disjointed region would certainly qualify.

integrate recent immigrants into their communities.”⁵² In his work explaining the importance of local issues in backcountry loyalism in the valley of Virginia, Albert Tillson shows that there was a shift in popularity of Tory ideology from the early years of the war to the later years. By 1780, Tillson argues that there was a major Loyalist movement along the New River, an area that was closely connected to folks in Surry County. Tillson points out that often these loyalists were of German and Welsh origins and were also the minorities in the region.⁵³

For many historians, the roots of the politically fractured backcountry can be found in the Regulator movement. Historian Jeffery Crow argues that the regulation left many class tensions in the region. Those tensions combined with the ethnic diversity in the area complicated attempts to establish a common thread of political interest. Unlike Crow, Robert DeMond argued that the roots of Loyalism in North Carolina may lay in the Regulation. This interpretation runs counter to the popular ideology that the Regulation was the earliest origins of Patriot ideology in the region.⁵⁴ The truth, however, is that the Regulators protested against local officials, and colonial officials responded, for the most part, in their favor. The colonial government worked hard to maintain the loyalty of the backcountry counties in North Carolina. In the summer of 1775, just prior to Surry forming their committee of safety, backcountry inhabitants wrote to the colonial governor to express their loyalty to him and to the Crown. Colonial

⁵² Moore, “The Local Origins of Allegiance in Revolutionary South Carolina,” 28.

⁵³ Tillson, “Localist Roots of Backcountry Loyalism,” 392.

⁵⁴ Crow, “Liberty Men and Loyalist,” 128; DeMond, *The Loyalist in North Carolina*, 32-34.

officials even went so far as to pardon all individuals who took part in the Regulator revolt against the colony, except for the ideological leader Herman Husband. The motivation for these pardons was to appease the backcountry citizens who had become rebellious and to reinforce the idea that the colonial government had heard and responded to their grievances as loyal subjects.⁵⁵

Governor Martin was successful in maintaining allegiance through much of the backcountry. In 1775, the colonial government received letters from numerous “Western Counties,” including Surry and Rowan, expressing loyalty to the Crown and the Colonial Governor and condemning the actions of the Boston Patriots. Those who signed these documents were some of the more prominent people in the region and public office holders. John Dunn, a Salisbury lawyer, had served in public office in Anson County before moving to Rowan, where he served as the first Clerk of Court. Gideon Wright of Surry County had continued public service after the public squabbles between him and the Armstrong brothers over the location of Surry’s courthouse, and between 1771-1775, he served as the County Coroner.⁵⁶

The first order of business for the Surry Committee of Safety was to condemn those who would send correspondence to the governor expressing loyalty. These letters not only ran counter to the ideology of the patriots in the region, but they were also seen

⁵⁵ “Letter from the Earl of Dartmouth to Governor Martin, 12th July 1775” from, *Colonial Records Vol. X*, 89-91.

⁵⁶ DeMond, *The Loyalist in North Carolina*, 85; Ganyard, *The Emergence of North Carolina’s Revolutionary State Government*, 48; Ramsey, *Carolina Cradle*,” 28; “Miscellaneous Records in the Office of the Secretary of State,” *Colonial Records IX*:298.

as a physical threat since they encouraged more loyalists and sought “to divide the good people of this province.” Militia leaders, including the Armstrongs were reserved in the use of violence in the matters of the loyalists. Alexander Martin referred to Gideon Wright and his brother as “obstinate enemies to their country,” but in the same letter stated that he “would have no man used ill” and that if the Wrights continued their activities, they would be used ill.⁵⁷

Rowan County was also threatened by very active loyalists that were springing into action in 1775 and into 1776. One of the most active loyalists in Rowan was a former Justice in the county, William Spurgin. Spurgin, William Bryan, Samuel Bryan, Morgan Bryan and Mathias Sappenfield had publicly sworn allegiance to the King and to fight against the rebellion. All of these men were prominent individuals in the region. At this time, the loyalists in Surry County were loyalists mainly in political affiliation, but they were not very active. This was not the case in Rowan. Early in 1776, Rowan County loyalist held a rally which coincided with colony-wide loyalist rallies, was held in an area only identified as being 60 miles south of Salem, which would put it somewhere in the very northern portion of Rowan County. The size of the crowd was reported in the “hundreds.” This rally was, in a sense, the loyalists’ declaration of war against the rebels. William Spurgin read to the group the orders of Gov. Martin and General MacDonald, which included the rules of for the loyalist forces and the permission to raise forces

⁵⁷ “Letter to Captain John Armstrong from Alexander Martin September 22, 1775,” *Records of the Moravians* II:942“Proceedings of the Safety Committee of Surry County, August 25, 1775” from Hollingsworth, *History of Surry County or Annals of Northwest North Carolina*, 74; Document also appears in *Colonial Records* X:228-229.

around the King's Standard. The intention of this group was to join with Governor Martin's loyalist troops, which they never found. They did, however, find a hogshhead of rum, which diverted their attention from military matters.⁵⁸

William Spurgin and those with him were not deterred by rum and marched further southeast to Cross Creek, taking with them wagons, horses, and provisions to join the "Scotch" army in the area. This activity quickly got the attention of the Rowan Committee of Safety. Spurgin's reading of the governor's orders was reported to the committee by John Reynolds, and the news energized the local militias.⁵⁹

Militia's Response

Colonial military leaders called for the formation of the militias in the fall of 1775. The Surry County Militia was under the leadership of John Armstrong, whose political activity and that of his brother, had gained him a spot as Captain in the militia. Immediately, the backcountry militia faced problems. Militia leaders offered an "extraordinary" sum for payment as a means to entice those that already had firearms to show up for the muster. The plan failed when many showed up unarmed.⁶⁰

⁵⁸ "Orders from Governor Martin and General McDonald for raising the King's Standard in North Carolina" and "By His Excellency Brigadier-General Donald McDonald of His Majesty's Forces, for the time being in North Carolina," *Colonial Records* X:441-443; "Bagge Manuscript 1776" *Records of the Moravians*, III:1026.

⁵⁹ "Bagge Manuscript" *Records of the Moravians*, III:10925-1026; *Colonial Records* X:443-444.

⁶⁰ "Letter to Captain John Armstrong from Alexander Martin, Sept, 22 1775" *Records of the Moravians* II:941.

Lack of arms was not the only problem the militia faced; they also struggled against the lack of enthusiasm for the cause of liberty. Another issue that created problems was the very nature of backcountry society. With a majority of people being subsistence level non-slave owning farmers, it was difficult for them to be away for long spans of time. The backcountry may have also created a sense of distance from the conflict and therefore a lack of concern for enlistment or the draft. The localism that affected Surry County's delay in joining the Revolution also played a role in how the Surry Militia reacted to orders from outside their region. Many of the Surry militia were upset at the fact that they were going to be marched outside of Surry County and kept in Salisbury. This also put John Armstrong in hot water with military leaders, since he had not made it clear to the Surry Militia that they might have to actually leave the county in order to fight the war and may have even suggested otherwise in order to beef up numbers. Alexander Martin wrote to Armstrong and ordered him to explain to the militia that they belonged to the Continental army and may be needed in "Virginia, South Carolina, or even Boston."⁶¹

This chapter has shown that as backcountry inhabitants decided to join or oppose the Revolution, several issues shaped their decisions. None of which seemed to rely on taxation or the latest ideas about human equality. Backcountry political culture was

⁶¹ Crow, "Liberty Men and Loyalists," 125-126; Escott and Crow, "Social Order and Violent Disorder," 380; "Letter to Captain John Armstrong from Alexander Martin, Sept, 22 1775," *Records of the Moravians* II:941.

dominated by localism and regulating society into a system that worked in their favor, which many believed the colonial oligarchy in the east was not doing effectively. Others, such as Cherokee leader Dragging Canoe, saw the coming Revolution as an opportunity to strengthen that system which had lost control over the settlers in the region and threatened his nation's sovereignty. As loyalists and Patriots disagreed on what form that government should take, those not involved feared the chaos that war would bring to the region. This lack of unity in the region, the logistics of backcountry society and environment would turn the American Revolution into a revolutionary, civil, and race war combined in one.

CHAPTER III
THE WORST KIND OF WAR:
VIOLENCE AND SOCIETY IN THE NORTH CAROLINA BACKCOUNTRY
1776-1781

When elections were held in the fall of 1776 at the Surry County courthouse in Richmond, the North Carolina backcountry was a region divided. The purpose of this election was to determine delegates to represent Surry County at the Provincial Congress to meet in New Bern. The Moravians in Bethabara felt that little would come of such an election because the people in the region were “not united in mind, and some are not for the matter.” This general description from the Moravian observers summed up the situation very well. In the North Carolina backcountry, there was no strong united front for either the Patriots or the Tories; and those who did not choose sides, who may have made up the majority, were either forced to choose a side or risked being persecuted by both groups. As a civil war was breaking out among the white inhabitants of the region over political control, a race war as being waged against the Native Americans which took on both violent and diplomatic forms. What little of Indian society survived the war in western North Carolina was changed forever as Cherokee society became fractured

from within as Cherokee culture split over how to deal with their changing world.¹

“You will find its Settlement Dark and Bloody.”

Industrious land speculators in the backcountry took advantage of the political turmoil and completely disregarded British law when it came to acquiring Indian lands. As a result of their greed war began in the North Carolina backcountry in the summer of 1776. It was not a war fought by patriots trying to throw off the British over oppressive taxation. It was a war over land disputes against the most feared opponent to the inhabitants of the North Carolina backcountry, the Cherokee Indians. Violence between the Cherokee and white settlers was commonplace in the region and many of the area’s Revolutionary leaders, such as Hugh Montgomery, were already experienced Indian fighters. The Cherokee war that coincided with the American Revolution might have seemed commonplace to the settlers of the region. There was one major difference however, with the formation of militias and committees of safety under the new Revolutionary government this war against the Cherokee was not sporadic vengeance for a specific attack on settlers encroaching on Cherokee land. Instead it was an organized war against the Cherokee, with the goal of completely bringing them into submission.²

¹ Bethabara Diary, October 15, 1776, *Records of the Moravians* III:1101; Jeffery Crow, Paul Escott, John Shy and Ronald Hoffman have pointed out the difficulty in researching the groups of people that remained between the two extremes of patriots and loyalist. The story of this middle ground is a tale that is much harder to tell and this work does not claim to describe the average political ideology of the region. Escott and Crow, “Social Order and Violent Disorder,” 380.

² In 1760 Hugh Montgomery filed a public claim and received over £45 for taking part in a expedition against the Cherokee that same year. “Report of the Committee of Public Claims held at New Bern on Thursday, the 1st day of May, A.D. 1760” *Colonial Records*, VI:821.

By the 1770's individual settlers and land speculators increasingly disregarded the Proclamation Line of 1763 that prohibited settlement in the backcountry. This encroachment fueled native resistance and soon rumors circulated in the region that the Cherokee were allying with the Creeks and Chickasaws to put together a force of about 700 warriors. When word about the killing of white settlers began to spread throughout the region, the Moravians of Salem noted specifically in their diary that these murders were not being committed at the suggestion or orders of British authority, but rather out of reaction to the encroachment of white settlers into the region.³

One specific incident that the Moravians recorded occurred in Powell's Valley which had been purchased from the Cherokee in the "infamous" Sycamore Shoals Treaty of 1775. The purchase was made by a group of North Carolina land speculators called the "Transylvania Company," led by speculator, and Patriot leader, Richard Henderson, a well known figure throughout Western North Carolina. Colin Calloway has described this transaction as being not only one of the largest land deals in American frontier history; it was also the most controversial treaty, having been against both Cherokee tribal, and British law. Henderson was both praised and vilified by those who knew him, and by historians who have studied him. Rowan County historians Jethro Rumble and James S. Brawley both celebrated Henderson Brawley described Henderson as one of the great intellectuals in the region and founder of Nashville, Tennessee; and Rumble touted his career as a Judge in the region as being carried out with "fidelity and honor." The

³ StanleyW Hoig, *The Cherokees and Their Chiefs: In the Wake of Empire* (Fayetteville: The University of Arkansas Press, 1998), 57-58; Salem Diary, June 6, 1776, *Records of the Moravians* III:1065.

Regulators discussed in Chapter I hated him. As a Judge in Granville County, Henderson was a primary target of the protest to the point of having his home and stables burned. By the time of the Revolution Henderson was trying his hand at land speculation, which is where he saw his greatest success in life.⁴ In exchange for trade goods such as guns, ammunition and beads, the Cherokee sold to Richard Henderson's company 27,000 square miles which was then broken up into 500 acres plots which were sold to settlers. The settlers in Powell's Valley were required to plant a corn crop as soon as they settled. It has been suggested that this was to promote "industrious and honest" people to the Valley, but probably did more to help establish permanent settlers.⁵

The Sycamore Shoals Treaty represents a major turning point in the Revolution in the backcountry and the history of the Cherokee people. Historian Gregory Dowd has illustrated that the continual encroachment of white settlers and the impact it was having on the tribes was reaching the point of crisis by the 1770's and the traditional methods of governance within the tribes was falling apart. At the same time the Cherokee were becoming desperate for European goods that were not longer a luxury, but a necessity to

⁴ Richard Henderson's group was originally called The Henderson Company and included several prominent individuals from the North Carolina Backcountry. John Williams, who was Henderson's law partner, Thomas and Nathaniel Hart, John Luttrell, and William Johnston, the name changed to "Transylvania Company" prior to the Sycamore Shoals Treaty. Thomas Perkins Abernathy, *Western Lands and The American Revolution* (New York: Russell and Russell, inc. 1959), 124; Brawley, *The Rowan Story, 1753-1953*, 150-151; Archibald Henderson argued that Richard Henderson being targeted by the Regulators was in no way a result of Henderson's own actions, but the anger and frustration of the misguided Regulators. "Richard Henderson and the Occupation of Kentucky, 343-344; Kars, *Breaking Loose Together*, 186, 216-217; Rumble, *A History of Rowan County, North Carolina*, 213.

⁵ William G. Mcloughlin, *Cherokee Renaissance in the New Republic* (Princeton: Princeton University Press, 1986), 19; ; Dallas Bogan, "The First Settlements in Powell's Valley Followed Purchase of Land By Henderson and Company," www.tngenweb.org/campbell/hist-bogan/firstsett.html

their survival. Trade had largely been cut off with them as a result of the Cherokee War in the 1760's. White settlers gradually pushing them out of the skin trade also hindered the Cherokee's economic development, making them desperate for a trading partner.⁶

On top of the desperate state that the Cherokee were in for trade, the older tribal leaders such as Attakullakulla (Little Carpenter) were focusing on accommodating the land speculators in hopes of achieving a middle ground, and the trade goods that the tribe needed. Land had become their only tradable commodity. Henderson manipulated these weakness and deceived these leaders regarding exactly what they were signing away; several of those who signed the treaty would later argue that they were under the impression that they were renting the land. Henderson may have even plied some of the leaders with alcohol throughout the proceedings, a practice that was not uncommon that were not uncommon in such transactions. Some would later claim that Henderson went so far as to forge some of the signatures on the document.⁷

Not all of the Cherokee present at the meeting agreed with the Treaty and many were quick to point out that it was against tribal law for the land to be sold and was also against the Proclamation Line of 1763. The greatest impact this corrupt land sale had on the Cherokee was that it infuriated many of the nation's younger leaders such as

⁶ Gregory Evans Dowd, *A Spirited Resistance: The North American Indian Struggle of Unity, 1745-1815* (Baltimore: The John Hopkins University Press, 1992), xx-xvii; Jones, *License for Empire: Colonialism by Treaty in Early America*, 50-51; 111.

⁷ The site of this land grant would be an area of focus throughout the war between the Colony and the Cherokee. Calloway, *The American Revolution in Indian Country*, 189-190; McLoughlin, *Cherokee Renascence in the New Republic*, 19; Hoig, *The Cherokees and Their Chiefs*, 58; Governor Caswell to Griffith Rutherford February 1st, 1777, *State Records* XI:372; Jones, *License for Empire: Colonialism by Treaty in Early America*, 111.

Dragging Canoe. Under the leadership of this younger generation of leaders the Cherokee grew more aggressive in defense of territory. Historian Stanley Hoig argues that the outbreak of fighting between the Cherokee and white settlers in 1776 was largely coincidental and at the onset had little to do with the American Revolution. However, with the settlers being their greatest threat, Dragging Canoe and the Cherokee quickly aligned themselves with the British and early in 1776 they began receiving arms and ammunition from the British via Indian agent John Stuart.⁸

Another divide between the younger more radical leaders and the older Cherokee leadership was their attitude regarding unification with other tribes. Collin Calloway argues that older leaders avoided allying with other tribes out of fear that it would result in chaos similar to that created during the French and Indian war when the Cherokee became involved in a conflict on that scale. Attakullakulla and Oconostota, two of the tribal elders, refused to ally the Cherokee with the Shawnee when the Shawnee offered the warbelt. Dragging Canoe and his followers that would become known as the Chickamaugas, were beginning to follow the younger generation of leadership, accepted the warbelt and sang the war song with the Shawnee, and though not in agreement with Dragging Canoe, the older leaders offered no opposition. With British and Shawnee support and a new found fervor, the Cherokee began to attack settlers along the frontier and into the backcountry of North Carolina, South Carolina and Virginia order to retake

⁸ Hoig, *The Cherokees and Their Chiefs*, 57-65; Jones, *License for Empire: Colonialism by Treaty in Early America*, 47.

their land, at the same time dividing the tribe weakened any political clout that they would have in negotiations with either the British or the new American government.⁹

The summer of 1776 saw massive campaigns against the Cherokee by militia from Southwest Virginia, western North Carolina and South Carolina. These attacks were unlike any seen before in the region in both size and organized effort. Reports of violence committed by the Cherokee “annoyed and alarmed” residents of Surry County and increased the reluctant militia ranks to 6,000 men. As the war with the Cherokee began to escalate, the region was besieged with fear and confusion. In mid-July word of fighting at the head of the Catawba River stirred a fury among the inhabitants as settlers were informed that a number of people had been killed on both sides. When the militia were examining the bodies of six slain Cherokee it was discovered that two were white men. The thought of white men, especially loyalists, siding with the Indians caused a “great stir” among backcountry inhabitants.¹⁰

It was known throughout the region that some loyalists were living among the Cherokee. These people were probably some of the most disaffected of society in the North Carolina backcountry. Ambrous Mills, who was identified as a “Netorious offender against the Commin Caus of America” and was described as “seeming simple but is subtile and insinuating” had become an infamous character throughout the region.

⁹ Calloway, *The American Revolution in Indian Country*, 195; Jones, *License for Empire: Colonialism by Treaty in Early America*, 122.

¹⁰ “The Revolutionary War Pension of William Lenoir,” *State Records*, XXII:136; Rumors of a “major nest” of Tories near the Nolachucky River preparing to join the Cherokee in their fight against the colony circulated through the region in 1776 and 1777. Samuel Cole Williams, *Tennessee During the Revolutionary War*, 32; Bethabara Diary July 11-17 1776, *Records of the Moravians*, III:1098-1099.

As the Revolution was starting up, Mills was hiding in the Blue Ridge Mountains and admitted that he was maintaining correspondence with British authority and living among the Cherokee.¹¹

In early August of 1776 a newly printed copy of the Declaration of Independence was displayed in the Tavern at Salem. The copy was furnished by militia captains who were there to store powder with the Moravian Merchants because the militiamen could not be trusted with explosives, and they also needed to borrow money from the merchants to fund the upcoming expedition against the Cherokee. The purpose of the expeditions was no longer to protect settlers and to separate the Cherokee from settled land, but to destroy the Cherokee as a whole. The campaigns were carried out by forces from Surry County led by Martin Armstrong and Joseph Winston found many of the Cherokee Middle Towns already abandoned “except by stragging Indians, women and children.” Armstrong and the Surry and Rowan Patriots pushed deeper into the frontier to the Hiawasse Towns, which they burned. The militia also destroyed thousands of acres of corn crops and live stock to eliminate the means of subsistence that would maintain the tribe through the winter even if they did return to the burned-over towns.¹²

These attacks also had greater impact due to the financial support given by the Whig government in power by 1776, something that settlers often felt was lacking from

¹¹ “Letter from the Safety Committee in Tryon County to the Safety Committee in Rowan County,” *State Records* X:609-610.

¹² “The Revolutionary War Pension of William Lenoir” *State Records*, XXII:135-142; Bagge Manuscript, 1776, *Records of the Moravians*, IV:1033; J. Edwin Hendrick, “Joseph Winston: North Carolina Jeffersonian,” *The North Carolina Historical Review*, Vol. XLV no. 3 (July 1968), 287.

the British government. In 1777 North Carolina leaders passed an act to give volunteers a financial incentive in order to “stir up an enterprising spirit” among the volunteers. The act stated that the state would pay £15 for each prisoner that was taken and £10 for each scalp taken by a militiaman. For individuals not associated with organized militia the profit was even greater. For every male scalp turned in £40 would be rewarded and £50 for a prisoner. In order to collect payment an oath had to be sworn that the individual did indeed take the scalp and kill the Indian. They also had to swear that the victim was a Cherokee.¹³

The militia attacks by the various states left the Cherokee with nowhere to flee. When attacked by men from Georgia and South Carolina, the Cherokee of the Lower and Middle towns fled to the upper towns only to face Virginia and North Carolina soldiers attacking there. This dilemma caused many Cherokee to abandon their towns and become “outliers” themselves.¹⁴

This campaign by patriot militias from North and South Carolina, Virginia and Georgia was successful and devastated that Cherokee Nation. In 1777 the Cherokee signed a peace treaty with Virginia and North Carolina during a meeting at Long Island on the Holston River. The white representatives at the treaty were from both Rowan and Surry County. Surry County was represented by Joseph Winston who will later become a fairly prominent land speculator in the very region the treaty was addressing. The intent

¹³ “An Act of the Encouragement of the Militia and Volunteer employed in prosecuting the present Indian War,” *State Records* X:15.

¹⁴ Calloway, *The American Revolution in Indian Country*, 198.

of these treaties was to establish relations between the Cherokee and the new state governments. In order to accomplish this goal each state appointed an Indian agent that would live in the Cherokee town of Chota. The greatest impact of the treaty was the Cherokee lost land claims east of the Blue Ridge Mountains, and a section that would make the Cumberland Gap accessible to white settlers.¹⁵

It is important to note that the peace treaty of 1777 was with some of the Cherokee leaders, but not all. The war had divided Cherokee society and radicalized a group of chiefs whose leaders included Dragging Canoe. These chiefs did not participate in the peace talks, nor did they recognize the treaties that followed. These more radical leaders were frustrated by the defeats in the war and land cessions that they knew to be fraudulent. They were also frustrated with the old leadership that had signed the peace treaty. During the spring and summer of 1777, Dragging Canoe was able to assemble a larger group of followers mostly made up of the homeless inhabitants of destroyed towns. They migrated south and tried to reestablish their society along Chickamagua Creek, even going so far as to use the same town names as their previous homes. These disenfranchised Cherokee would be able to put together bands of warriors and fight white encroachment throughout the region for more than a decade after the Revolution ended.¹⁶

¹⁵ Clyde R. Ferguson, "Carolina and Georgia Patriot and Loyalist Militia in Action, 1778-1783," from Crow and Tise, *The Southern Experience in the American Revolution*, 175; The peace treaties were individual treaties between the Cherokee and the separate states. In the Spring of 1777 the Lower Cherokee towns signs a treaty with Georgia and South Carolina that surrendered all of their lands in South Carolina except a small amount on the state's western border. Calloway, *The American Revolution in Indian Country*, 198, 200; Hendricks, "Joseph Winston: North Carolina Jeffersonian," 287.

¹⁶ McLoughlin, *Cherokee Renascence in the New Republic*, 20; Calloway, *The American Revolution in Indian Country*, 200.

“...to struggle under the weight of Republican tyranny.”

It was not until late in the war that British troops made it into the North Carolina backcountry. Prior to their arrival the war among white settlers was fought between those who “held with Boston” and what Salisbury tavern owner, Elizabeth Steele referred to as “Tory insurrections.” This social conflict had local origins as individuals that were long time rivals pursued vendettas against one another and both sides struggled for control of whatever form of government would exist in the backcountry after the Revolution.

John Dunn could not specifically remember, but he knew it was in late August or early in September of 1774. Dunn was in a brickyard overseeing some laborers along with Benjamin Booth, when they were approached by William Temple Coles who had in his possession a newspaper that included protest against the Patriots written in New York and declaring allegiance to the King. William Temple Coles suggested that the inhabitants of Rowan County do the same. The document was drafted by Benjamin Booth and was signed by Boote, Dunn, Coles and Walter Lindsey at a meeting at William Coles’ house. The signing of this document would make John Dunn and Benjamin Booth Boote the most wanted loyalists to the Rowan County Committee of Safety, while William Temples Coles would play the role of persecutor against Boote and Dunn.¹⁷ The

¹⁷ Because of its political development which consisted of maintaining political alliance with powerful individuals in London, New York maintained strong ties with the British and was a major loyalist stronghold. Calhoun, *The Loyalists in Revolutionary America*, 42-43; “Statement of John Dunn as to his arrest in Salisbury, his removal to South Carolina and his imprisonment there.” *Colonial Records* X:674-674.

division and confusion that marked the formation of Revolutionary ideology in the years preceding 1776 continued to mar the region as the war broke out and escalated. The American Revolution became more of a civil war than the actual Civil War would be in the region.

Historians have suggested that the time period between the defeat of the Cherokee and the British invasion of the South was relatively peaceful time in the region. This view; however, underestimates the civil unrest that was prevalent throughout the North Carolina backcountry. A situation akin to a witch hunt for loyalists developed as local militia tried not only to maintain physical control of the region and keep society functioning as orderly as possible. They accomplished this goal by seeking out and persecuting any semblance of political opposition or any who were identified as “non-associators.”¹⁸

Prior to 1776, Moravian merchant and community leader, Turgott Bagge noted that patriots generally had patience with those who were remaining loyal: however, after the signing of the Declaration of Independence persecution of loyalists escalated throughout the region. The reason for this change was twofold. Not only did the Declaration give some semblance of authority to the committees of safety in carrying out this persecution, it also spurred action among the areas loyalists. With both groups

¹⁸ Cynthia A. Kierner, *Beyond the Household: Women's Place in the Early South, 1700-1835* (Ithaca: Cornell University Press, 1998), 86-87; Ferguson, “Carolina and Georgia Patriot and Loyalist Militia in Action,” 175.

springing to activity after the signing of the Declaration, the power struggle for which side would control of the backcountry escalated.¹⁹

The Rowan County this process began immediately as they quickly targeted two known loyalist within the county. John Dunn and Benjamin Boote found their way into the crosshairs of the committee after an advertisement that the two men had signed was read during a committee meeting. This is perhaps the document the Boote authored and was signed at the home of William Coles. The contents of the broadside are a mystery but the Committee of Safety minutes did note that it contained “allegations altogether false, scandalous, wicked and impertinent, and that the authors thereof justly merit Censure and detestation of their Country.” At this first meeting in which the actions of Boote and Dunn were brought up no direct actions was taken against them. The Committee did decide to post the advertisements on the posts of the gallows and whipping post to send a warning to the authors.²⁰

Both Boote and Dunn were fairly prominent individuals in the region. Dunn was another success story of the region, similar to James Carter mentioned in Chapter I. A Scots-Irish immigrant, Dunn had been a tenant farmer, and perhaps an indentured servant in Maryland. He worked a variety of jobs from shoemaker to school teacher once reaching the North Carolina backcountry. Dunn advanced his position in the community through military service. He received public claims in 1759 and 1760 by taking part in campaigns against the Cherokee and had achieved the rank of Major, which gave him his

¹⁹ Bagge Manuscript, 1776, *Records of the Moravians*, III:1024-1035.

²⁰ Rowan Committee of safety, September. 23 1774, *Colonial Records* VIII:1074-1075.

own company, and eventually became a Colonel in the Rowan militia. Dunn also studied law and became a politician by representing Rowan County in the Assembly.²¹

In July of 1775 Benjamin Boote's house was laid siege to by William Temple Coles and the "Youth" of Salisbury so that all "sustenance" could be kept from getting into the home. Boote was suspected of communicating with the royal governor and the committee of safety had demanded he show such letters. When he refused to do so, and a search was conducted, which did not produce any letters. The siege was threatened to continue until he surrendered the letters.²²

Dunn himself felt he was a victim of a jaded political opponent on the committee of safety, but he did not name him specifically. Dunn had been asked to serve on the committee but had declined; however, he was still a prominent figure in the region, which is why it was necessary to remove him. Both Boote and Dunn were taken into custody in August of 1775 by "Several Gentlemen Merchants and others the chief of whome, were Members of the Town Committee and Council of Safety." The two men were questioned, not about activities but about political ideology, since these two men could do little physical harm in the region.²³

²¹ Ekirch, *Poor Carolina*, 170; Dunn received over £45 for "wagoning the expediton." Report of the Committee of Public Claims Held at Wilmington, 18th November, A.D. 1760, *State Records*, Vol. XV:821; Report of the Committee of Public Claims Held at New Bern, 1st day of May A.D. 1760, *State Records*, XV:827.

²² Rowan Committee of Safety, July 15th, 1775, *Colonial Records*, X:92-93.

²³ Statement of John Dunn as to his arrest in Salisbury, his removal to South Carolina and his imprisonment there. *Colonial Records*, X:676-677.

After this questioning the two men were taken, under heavy guard to a prison at Camden and then on to Charleston where Dunn and Boote were held in prison for over a year. Dunn being the consummate attorney argued that he and Boote's imprisonment was against the rules set up by the Continental Congress. The effects of the imprisonment went beyond the two men alone. Boote's family left the colonies and his estate was seized by the Patriots. After the war Boote, and after his death Boote's wife, applied for a loyalist claim which they felt was due after he and his family had suffered "under the weight of Republican tyranny" as they remained loyal to the crown.²⁴

The situation in Surry County was very similar. John Dunn had been a supporter of Gideon Wright's in his bid to have the courthouse on his property Wright now found himself at odds with his old political rivals who were now Patriots and backed by the provincial government. Like Dunn and Boote, both Gideon Wright and James Glen (the loyalist who was elected to represent Surry at the Provincial Congress), had signed oaths of allegiance to the Crown. In January of 1776 Governor Martin issued a call to loyalists in North Carolina to rise up against the "Rebels and Traitors." Gideon Wright, who was still in favor with the Colonial authority in the East answered the call and was given an assignment in the early winter of 1776 to travel through the region and investigate the backcountry's inhabitants to determine what side they were on. Not only was Gideon

²⁴ Taking the men to Charleston may have been a way of getting them out of their element. While Dunn and Boote were sent to South Carolina other prisoners were sent to Rowan County from other counties such as Tryon. Letter from the Safety Committee of Tryon County to the Safety Committee of Rowan County; Statement of John Dunn as to his arrest in Salisbury, his removal to South Carolina and his imprisonment there. *Colonial Records* X:609-610, 677; :Claim of Benjamin Booth Boote April 23, 1783," Foreign Archives Collection, North Carolina Department of Archives and History. Hereinafter cited as NCDAH.

Wright an ideological opponent, but an active one as well. Wright and his brother Giery Wright were actively raising loyalist troops to march east and aid the governor.²⁵

Activity such as this clearly placed Wright in the sights of the local patriots. A few days after Gideon Wright was traveling through the region questioning individuals on their political affiliation his house was surrounded by patriot militia and he was taken into custody. His punishment seems to have been being pressed into service for the patriot militia. This was an option that would become very common for the Surry militia as the war continued on. In 1780 nearly 100 imprisoned Tories were released by enlisting with the Patriot forces. Pressed soldiers such as this are evident of the desperation that the Patriot forces had to fill their ranks, and utilizing the enemy to fill a void in the militia no doubt added to the social and political confusion in the region.²⁶

Loyalists such as Benjamin Boote, John Dunn and Gideon Wright found themselves in an awkward position. They were far from any colonial or British government but were charged with the task of maintaining British authority, with little or no support. The loyalists in the region were not successful due to the abandonment and

²⁵ Gaynard, *The Emergence of North Carolina's Revolutionary State Government*, 56; The Moravian Diarists in Bethabara and Salem noted groups of armed men traveling with Giery Wright throughout the region. The initial goal was to travel east to meet up with the Governor's troops but apparently never made or were turned back. Bethabara Diary August 22, 1771, *Records of the Moravians*, I:470-471; Bethabara Diary February 5, 1776, Salem Diary February 8, 1776, *Records of the Moravians*, III:1048, 1091-1092; *Colonial Records*, X:441.

²⁶ Bethania Diary February 11,14,15, 1776, Bethabara Diary March 11, 1776, *Records of the Moravians*, III:1095, 1104; "William Lenoir Pension," *State Records*, XXII: 135-142; Wachovia Congregation, 1780," *Records of the Moravians*, IV:1576.

the aggressive stance that local patriots had taken against them. Although the region was divided the political power was certainly in favor of the Whigs by 1776.²⁷

Being neutral in the conflict made anyone a person of interest for both sides of the conflict, making it more dangerous than actually choosing a side. The provincial government saw those who were remaining neutral as “enemies of the country.” One Surry County soldier recorded this statement in his pension after the war illustrates the fluidity of political alliance:

..there was but two choices from men to take in this sections of country, one was to join the Tories and outlyers and of course take to the woods and the other was to join the Whigs, take to the field garrison or both as occasion might require.²⁸

In July 1776 the General Council of Safety, that was over all committees ordered that the Committees of Safety should seek out all “non-associators” and take a sworn inventory of their possessions. Why it was important to know what these individuals owned is not clear. Perhaps it was to evaluate the prospects of seizing these persons’ property if they ceased to be neutral or by keeping files on such people it was seen as a deterrent from the getting involved via indirect black mail.²⁹

Persecution of loyalists, or suspected loyalists, escalated in 1778 and perhaps created more loyalists than it suppressed. Jeffery Crow argues that at this time the militias of backcountry counties turned into an “instrument of terror” as they traveled

²⁷ Ferguson, “Carolina and Georgia Patriot and Loyalist Militia in Action,” 176.

²⁸ Revolutionary War Pension of James Boyd, Microfilm US National Archives, 309-310.

²⁹ Bagge Manuscript, 1776, *Records of the Moravians*, III:1032.

through the region hunting down suspected loyalists, making them take the oath of allegiance, torturing them for information, and seeking revenge for “real and imagined” crimes. In the summer of 1778 there were so many people jailed for refusing to take the oath of allegiance that the militia had to be summoned to serve as extra guard services for the jail. Rumors were circulating through the region that many “oppressed” settlers in the farthest reaches of the frontier were joining with loyalist forces and were rising up to fight the patriots.³⁰

“..at present there is no law.”

Persecution of loyalists escalated as the Declaration of Independence forced people to actively choose sides. The loyalists in the region may have been very prevalent in number, but were not in any position of power as royal authority was falling apart throughout the colony. The Rowan Committee of Safety sent delegates to the Yadkin River, where there were a large number of loyalists to try and speak to them in hopes of winning them over to patriot cause. After these attempts were unsuccessful the patriot militias forced many inhabitants (both loyalist and those unassociated) from their homes and farms and many hid in the woods away from the towns. Backcountry inhabitants quickly dubbed these exiles “Outlyers.” This activity was especially intense along the Yadkin River where many people trying to remain neutral were scared away from their homes at the very sight of men wearing buck tails in their hats patrolling the region.

³⁰ Crow, *Liberty Men and Loyalist*, 126, 141-142, 149; Bethabara Diary March 11, 1777, *Records of the Moravians*, III:1184

Having groups of persecuted and displaced peoples hiding in the woods created an entirely new concern for the people in the region. These “Outlyers” would have to find food and supplies somewhere and to someone who was already being persecuted the appeal of banditry might be too much to resist. Concerned inhabitants would report suspicious activity and “signs of the presence of an evil band” to the committee of safety. There was fear that the plundering was an organized effort among Tories and “Outlyers” to “pounce down upon the friends of liberty” to kill and plunder goods from them. Interestingly enough whenever something was actually stolen, more often than not wandering militiamen were blamed.³¹

Plundering was a particular problem in the North Carolina backcountry. Occasionally a person’s political ideology might make them a target. This was especially true during the later stages of the war as the British pushed through the region. Local loyalists were invigorated and perhaps vengeful of treatment they had received and turned to plundering as a means of retribution. Elizabeth Steele saw her home and tavern plundered of her “horses, dry cattle, horse forage, and family provisions.” This “visit” as she referred to it, came at a very difficult time for her family that was dealing with small pox in which her youngest grand-daughter died. In Elizabeth Steele’s case it was not local Tories who plundered her tavern, but British soldiers. In her letter Steele separated

³¹ Bagge Manuscript, 1776, Salem Diary February 7, 8, 1776, Salem Diary, 1777, *Records of the Moravians* III:1025, 1048, 1149; Revolutionary War Pension of James Boyd, 309-310; Crow, “Liberty Men and Loyalist, 140-141; Escott and Crow, “Social Order and Violent Disorder, 373-375; Watson, “The Committees of Safety,” 142.

soldiers from local Tory forces. The same was the case in Surry County as patriot leader Robert Lanier lost much of his property as the British moved through as well.³²

More often than not, those who were victims of plundering were random and not political targets as both sides saw the opportunity to profit from the practice. Surry County patriot leader Martin Armstrong seemed to have a full fledged business operating off of goods he had obtained during his campaigns into South Carolina, which he paraded through both Salem and Bethabara and “offered to sell for a fair price.” Whether these goods were plundered or not is impossible to say, but he did seem to maintain an active business of acquiring goods to sell while fighting the Revolution. The Moravians also noted the plight of a man who was accused of being a Tory and was arrested. The patriots were going to let him go until he “unwisely” asked that his personal property that was taken from him be returned. After his bold request he was “handled...very roughly” before being released. Historian Jeffery Crow argues that these illegal actions from both sides of the conflict caused Tories and patriots to lose the ideological struggles that claimed one side held the moral high ground over another, which added to the political instability throughout the region.³³

The Moravians in the region sided with the patriots, but would not actively get involved, and thus found themselves constantly threatened by plundering from both patriots and Tories. Early in the war as the patriots were trying to compile all of the

³² Elizabeth Steele to Ephraim Steele April 19, 1781, NCDAH; Diary of the Salem Congregation February 20, 1781, *Records of the Moravians*, IV:1680.

³³ Bethabara Diary, March 20, 1780, Diary of the Salem Congregation February 21, 1781, *Records of the Moravians*, IV:1616, 1680; Crow, “Liberty Men and Loyalist,” 129, 160.

military supplies in the region under their control the Moravians began to hide the firearms that they had for hunting and protection so that they would not be taken by the local militia. The Moravians' arms were plundered even after local militia officers had ordered the practice to cease. The confusion and chaos of the region made this plundering worse for those targeted. Traugotte Bagge noted that the Moravians' guns were seized on numerous occasions by a different officer "each.....with new ideas."³⁴

Military supplies were not the only targets. The Moravians in Salem saw their spring houses plundered numerous times throughout 1776, which had never happened in the settlement prior to 1776. Turgotte Bagge noted that "It was generally said that this was done by runaway negroes, who were loitering about, but it is just as likely that it was the act of wondering Militia-Men, or Non-Associators hiding in the woods." The Moravians lamented that military service made the young men of the region violent and brutal. They would leave to serve in the militia naïve young men and return months later a "thorough scamp."³⁵

Militia musters in the Moravian towns were common. Not only would the Surry and Rowan militias meet in the towns, but would camp there for days as other militiamen arrived for action, or to await orders. On one occasion the Moravian's settlement of Wachovia furnished 2000 pounds of meal to the Patriots who "expected" it from the Moravians. In the late summer of 1780 while the Moravians in Bethabara were diligently

³⁴ Crow, "Liberty men and Loyalist," 140-141; Bagge Manuscript, 1776, *Records of the Moravians* IV:1025. The Moravians of Surry had appealed to Martin Armstrong to stop the militias from taking their firearms but noted it was to no avail.

³⁵ The Bagge Manuscript, 1776, *Records of the Moravians*, IV:1035-1036.

drying apples, and preparing crops from that year's harvest for the coming fall and winter, Patriots from Surry County took about twenty bushels of meal, and five bushels of wheat were ground for them, and they plundered the Moravians' orchard "industriously."³⁶

The Moravians feared not giving supplies when asked since it could quickly lead to a charge of treason. Aside from their fear; however, the Moravians had a moral obligation to help out where they could. These two factors were taken advantage of by both sides of the conflict. Plundering put a great strain on the Moravians in an already very difficult time. In the winter of 1781 Lord Cornwallis himself stopped off in Bethabara on his way to what would become the Battle of Guilford Courthouse. The Moravian diarist noted that Cornwallis was "friendly and seemed satisfied." As the British moved through they pressed horses and eighteen oxen from the Moravians.³⁷

The Moravians feared idle patriot militiamen more than any redcoat and with good reason. Idle soldiers plagued the settlements and harassed inhabitants, often operating under the guise of looking for contraband, military supplies to press, or evidence of treason, such as correspondence with the British. Militiamen often forced inhabitants to empty trunks to show militiamen the contents of them. On a particularly vicious night in 1781 a group of Patriot militia from Mecklenburg County were in Salem; the town diarist wrote that hardly a single house remained untouched by the plundering.

³⁶ Daniel C. Crews, *Through Fiery Trials: The Revolutionary War and the Moravians* (Winston Salem: Moravian Archives, 1996), 19-20; Salem Diary February 15, 1776, Bagge Manuscript, 1778, *Records of the Moravians*, III:1051,1205; Bethabara Diary 1780, *Records of the Moravians*, IV:1625-1629.

³⁷ Diary of the Congregation in Salem, 1781, *Records of the Moravians*, IV:1677-1679.

The men asked for clothing, particularly fine shirts, handkerchiefs, and hard money all of which could hardly have been necessary for military operations. Moravian merchant Turgotte Bagge was twice held at gunpoint by the men, one inhabitant of that town had his coat taken directly off his back in the street. These militiamen; fueled by alcohol and rumors that Salem was full of British sympathizers, threatened to burn the town or take it over. Finally, another group of militia arrived from Surry and tried to help “straighten things out.” No action was taken but it seemed that the presence of cooler heads and at least some officers were enough to calm the situation.³⁸

To inhabitants of the North Carolina backcountry the years from 1774 to 1780 would have appeared chaotic. The region erupted in crime waves as the political institutions were weak, a situation that allowed, or even promoted lawlessness. Historians Paul Escott and Jeffery Crow have suggested that the chaos that the Revolution created in the region is evidence of “collective frustration and aggression of a significant portion of the population” from all sides of the conflict. In 1776 an unidentified band of four men that the Moravians thought perhaps were deserters from the militia, held the town of Salem under siege for an hour as they attacked inhabitants and rode their horses into the tavern. They attacked Salem resident George Frey and beat and strangled him. Frey’s wife came to her husband’s aid and took two guns from the men, which she hid before escaping herself. After destroying some homes and threatening the town’s citizens with guns and tomahawks, the men were overpowered and

³⁸ Ibid, 1677-1679.

turned over to the committee of safety. The Moravian records never determined why these men did this, or if it was politically motivated or just inspired by the unstable atmosphere in the region. The four men were released on bail and never heard from again.³⁹

The presence of the militia was not enough to keep the peace, especially when the militia could just as quickly turn into an unruly crowd among themselves. On one occasion a group of militia who were in Salem waiting to get paid became unruly and a fight broke out amongst them. The fray ended when John Armstrong struck a member of the mob and cut his head. Even taking into account atmosphere in which this occurred in the Moravian diarist noted that such an act among the militia “has never happened here before.”⁴⁰

As the war entered 1777 the situation in the backcountry descended further into chaos when the body of a man was found near Reedy Creek; his skull had been broken and he was dressed as a militia officer. Reports such as these flowed throughout the region prompting many to travel with armed guards and many towns and settlements posted watchmen, particularly at night. The region was gripped with fear and uncertainty as social chaos prevailed, exacerbated by the civil war that was characterizing the American Revolution in the backcountry of North Carolina. In the summer of 1778, the

³⁹ Clyde Ferguson points out that crime waves along the frontier settlements might have been more common than not in the years leading up to the American Revolution. “Carolina and Georgia Patriot and Loyalist Militia in Action,” 191; Bagge Manuscript, 1776, Salem Diary June 22, 1776, *Records of the Moravians*, III:1036-1037, 1066-1067.

⁴⁰ Salem Diary January 15, 1777, *Records of the Moravians*, III:1138.

diarist of Salem summed up the situation when he proclaimed after hearing of the attack on a female inhabitant that “at present there is no law.”⁴¹

“everyone has become a newsmonger.”

The history of the backcountry has often been consumed with the stereotype of a distant backwoods that was cut off from civilization physically, economically, and culturally. In his work *Albion’s Seed* David Hackett Fisher stated that, “All the world seemed foreign to the back settlers.”⁴² Conditions within the North Carolina backcountry during the American Revolution challenge this notion. Settlers in the region were interested and informed and actively sought out the all too important information regarding the Revolution taking place around and among them. News of events not only provided intelligence that could ensure someone’s safety. Being informed also created a culture of political correspondence and discussion and defined what it meant to be political in the North Carolina backcountry.

A variety of methods were used to distribute information in North Carolina since newspapers were not that common. One major newspaper for the state was *North Carolina Gazette* was published off and on beginning in 1751. Whether the backcountry was part of the paper’s geographic circulation is not known but it would be safe to

⁴¹ The Salem Diarist did not mention what side the uniformed officer was supposedly on, but since there were no uniformed British soldiers in the region at that time, it is safe to assume it was a Patriot militia officer. Salem Diary March 11-14, April 17, 1777; Salem Diary August 9-10, 1778, Bethabara Diary February 7-8, 1776, *Records of the Moravians*, III:1092, 1145, 1148, 1159-1160.

⁴² David Hackett Fisher, *Albion’s Seed: Four British Folkways in America* (New York: Oxford University Press, 1989) 650.

assume that copies would find their way into the region carried by travelers. Newspapers from other states were also important to the region. News of the British assault on Georgia and Charleston reached Bethabara, on January 11, 1779, thirteen days after the attack began. The news traveled by way of a member of the community identified only as Brother Yarrel who read about the attack in a Charleston newspaper. Yarrel had not been to Charleston, but had read the paper during a trip to Salisbury. Within four days it was reported that the news of the British attack had “become general” knowledge in the region.⁴³

News and information followed the trade routes from the backcountry towns to Charleston, but more often news followed the initial pattern of settlement. With a majority of the settlers in the backcountry coming from northern colonies of Pennsylvania, Maryland and New Jersey, it seems only natural that those family ties would also be the means in which most people would get their information. Salisbury tavern owner Elizabeth Steele made it a point to collect news and information and her main contact was her brother in law Ephraim Steele from Carlyle Pennsylvania. She wrote to Ephraim throughout the Revolutionary War with requests of “a paper or two from the North” or “northern intelligence.”⁴⁴ Through her northern contact she was able to obtain a copy of *Crisis No. Five*, by Thomas Paine which was read aloud in her tavern

⁴³ Patrick M. Valentine, “Libraries and Print Culture in Early North Carolina,” *North Carolina Historical Review* LXXXII No. 3 (July 2005), 309; Salem Diary January 11, 1779, *Records of the Moravians*, III:1288.

⁴⁴ Elizabeth Steele to Ephraim Steele, July, 13 1780 and October 25, 1780, John Steele Papers NCDAAH.

which “gave us great pleasure by serving to brace our minds, long relaxed in the inaction of the armies this winter season.”⁴⁵

The Moravians in Bethabara also would obtain newspapers from the northern colonies by way of travelers through their towns. On September 26, 1775 the Moravians received word the English Navy had blockaded the harbors of Boston and New York from a twenty day old newspaper that was in the possession of a “man from the north.”⁴⁶

News regarding the progress of the Revolution on the national scale was secondary in importance to local affairs in the backcountry; however, national events did affect the region. In 1777 the region was growing more volatile with loyalists and Whigs living alongside one another, and unpaid militia growing hostile roaming the countryside. Disputes could arise at most any public gathering and these disputes frequently led to violence. In February 1777 a fight broke out at a gathering in Salem to by the pottery that the Moravians had recently fired, resulting in one attacker biting off a piece of an individual’s lip. The Moravians of Salem did not specify which side bit whom, but they did add to the description that the “so-called Tories and Liberty men are so hot against

⁴⁵ Elizabeth Steel to Ephraim Steele, May, 15 1778, John Steele Papers NCDAH. Historian Daniel Thorp has noted the important role of Taverns in the political culture of the Revolutionary period, especially in the Southern backcountry. They served as locations for community meetings, post offices, military recruitment centers, and at times court would be held in local taverns. Daniel B. Thorp, “Taverns and Tavern Culture on the Southern Colonial Frontier: Rowan County, North Carolina, 1753-1776” *The Journal of Southern History* LXII (November 1996): 661-688.

⁴⁶ Bethabara Diary, September 16, 1775, *Records of the Moravians*, II:905.

each other.” When word came of the patriot victory at Trenton the tension in the region seemed to ease somewhat as word of the defeat dealt a blow to the loyalist morale.⁴⁷

In the summer of 1775 as Robert Lanier and Joseph Williams stopped in Bethabara on their way to the Provincial Congress in Hillsborough to purchase bucktails mentioned in Chapter II, the Moravian diarist noted that the men “asked no questions.” Apparently not asking questions was unusual and worth noting especially since in the summer of 1775 Surry County was just beginning to form their committees of safety and the region was becoming more volatile. The two men wearing bucktails and purchasing more would have spoken volumes to those present.⁴⁸

Word of mouth was probably the most significant avenue for information to travel, and there was certainly no lack of sources. This process connected Salisbury, Hillsboro, Cross Creek (now Fayetteville) and as far away a New Bern and beyond. Elizabeth Steele would collect “verbal accounts” from travelers moving through the region and visiting her tavern, and send southern intelligence to Ephraim in Pennsylvania.⁴⁹ If word spread that anyone was in the region from outside the region or colony individuals would seek that person out for information. In May of 1776 individuals traveled to Matthew Locke’s home in Rowan County after word spread that his sons had just returned from Charleston to find out about the situation there. There

⁴⁷ Salem Diary January 15, and February 3, 1777 1138-1139; Bagge Manuscript, 1777, *Records of the Moravians*, III:1128.

⁴⁸ Bethabara Diary, August 17, 1775, *Records of the Moravians*, II:904

⁴⁹ Steele specifically referenced verbal accounts of information in a letter to Ephraim sated October, 19 1779, John Steele Papers, NCDAH; Fries, *Records of the Moravians*, II:841.

also was an organized effort to stay in contact across distances via word of mouth. In 1780 the diarist of Salem noted that men met in the tavern there by appointment “in order to tell each other the news of the war conditions on the south.”⁵⁰

The problem with verbal accounts is that they can quickly meld together with rumors until information and gossip could be almost indistinguishable. As the conflict in the backcountry escalated in 1776, so did the flow of information and the backcountry inhabitants were not quick to believe everything they heard. In 1776 the diarist of Bethabara noted that “Many strangers were here, who reported all sorts of news from the North, but it can hardly be accepted as true.” This was especially true when it was feared that Governor Martin planned to march into the interior with an army and raise the local loyalists. Moravian merchant Turgott Bagge noted that there was “no end to the rumors” that this would take place. Bagge speculated that there was no truth in these accounts.⁵¹

As rumors circulated wildly through the region Turgott Bagge noted that “everyone has become a newsmonger.”⁵² Becoming a newsmonger may have had as much to do with personal safety as it did political interest. In a region as divided as the North Carolina backcountry, rumors not only created confusion but could be dangerous, especially if it called one’s loyalty to the American cause into question. The Moravians of Salem were warned by their community leaders that in the turbulent region “it was

⁵⁰ Salem Diary May 8, 1776, *Records of the Moravians*, III:1062-1063; The Diary of the Congregation in Salem, May 1, 1780, *Records of the Moravians*, IV:1537.

⁵¹ Bethabara Diary August 12, 1775; *Records of the Moravians*, II:904; Bethabara Diary December 2, 1776; Bagge Manuscript, 1776, *Records of the Moravians*, III:1031, 1102.

⁵² Bagge Manuscript, 1776, *Records of the Moravians*, III:1031.

necessary to be careful in speech, and best to be silent.” Historian Scott Crawford has speculated that this attitude was a product of the culture of fear created in frontier regions by living so close to Native Americans that could at times be aggressive. This sense of danger was also fueled by the paranoia that the French and Indian war produced in the back settlements. As committees of safety formed in the counties they included what the Surry County Committee of Safety referred to as a “committee of secrecy and intelligence.” This branch of the committee of safety worked to gather intelligence on local Tory sympathizers.⁵³

Contemporaries may have also viewed the backcountry as being cut off from current events just as previous historians have. In the Spring of 1779 the Moravians of Salem reported that a man was in the region with “new” money and was trying to spend it all and buy as much as he could to get rid of it. The new money that they were referring to was the provincial money issued by the revolutionary governments, and it was distrusted by many merchants because its value depended on the outcome of the war. In an attempt to get the Merchants of Salem to accept the money the man told them that the English in Charleston had been defeated. The Moravian records reveal nothing else about the story except to say that the man was “disappointed.”⁵⁴

⁵³ Proceedings of the Safety Committee of Surry County, Sept, 21 1775, *Colonial Records*, X:255; Crawford, “A Frontier of Fear: Terrorism and Social Tensions along Virginia’s Western Waters, 1742-1775,” 3; Minutes of the Salem Board, February 5, 1776, *Records of the Moravians*, III:1082.

⁵⁴ The Moravian Records mention numerous occasions where the Moravians felt that people were in their area for the sole reason of trying to get rid of money issued by the Provincial Congress between 1776-1779. Salem Diary May 23, 1779, III:1304.

Becoming a “newsmonger” in the North Carolina backcountry could have been more out of survival than it was out of political interest; however, being a newsmonger would place individuals in the middle of political discourse despite their intention. James Whittenburg has referred to this as “civic-political activity.” It could also be part of a wider cultural phenomenon occurring in the colonies during the revolutionary period. Gary Nash has noted that even “ordinary people” began to seek out political knowledge and debate. Nash quotes an Anglican clergyman who stated that even the poorest of laborers “thinks himself entitled to deliver his sentiments in matters of religion or politics with as much freedom as the gentleman or scholar.”⁵⁵

Elizabeth Steele certainly associated her own position as a “newsmonger” with political activity. In the Fall of 1780 she wrote to her main news contact, her brother-in-law Ephraim in Carlyle, Pennsylvania, “Please send us Northern intelligence. You know I am a great politician.” It is clear from her letters that Steele saw herself as a representative to a group of people who looked to her for information. In many of her requests she used “us” or “we” instead of “I” or “me.” This usage of collective nouns could be a reference to her family, regulars at her tavern, or even the entire community. She was probably not looked to for leadership due to her gender, and was certainly not running for any elected office. But because of her activity she defined herself as political.⁵⁶

⁵⁵ Whittenburg, “Backwoods Revolutionaries,” 184; Nash, *The Unknown Revolution*, 96.

⁵⁶ Elizabeth Steele to Ephraim Steele, October, 25 1780, John Steele Papers NCDAH.

“according to our conscience.”

Daniel Thorp has stated that the settlers who established the Wachovia settlement for the Moravian Brethren feared three things that could endanger the goals they had for the settlement. Those three issues were “religion, money, and politics.” These very prophetic concerns were realized as the rumors and chaos that the Revolution brought to the region claimed Moravians as their most common victim in the region. The Moravians openly expressed that they supported the patriot cause. That claim however, was not enough to save them from suspicion from both sides of the conflict. The Moravian records are filled with stories of the towns being surrounded by patriots and Tories, quite often on the same day, with both sides constantly asking what side of the conflict the Moravians were on. This tension seemed to escalate during the year 1776. In February of that year, Surry County loyalist leader, Gideon Wright himself traveled to Bethabara to question the inhabitants there on behalf of the Governor as to which side they were on. From there he traveled to Guilford County to continue his survey.⁵⁷

The Moravians were placed in a particularly vulnerable position since theirs were the only major established towns in Surry County and most of the trade in the area went through their hands. The result of their significant position in the country was that they could not opt for isolation during the conflict. Plus, there was money to be made here by the Moravians and those who traded with them. Individuals came to the Moravian towns to conduct everyday business, but in a charged political environment often civil

⁵⁷ Thorp, *Moravians in North Carolina*, 178; Bagge Manuscript 1776; Bethabara Diary January 12, February 1, 1776, and Bagge Manuscript, 1777, *Records of the Moravians*, III:1035, 1091, 1129.

conversation in the taverns would very quickly led to blows.⁵⁸ One of the largest gatherings of people in the region was when the Moravians would have a pottery sell. They would make the items and then fire them, and the selling of them would take on something of a festival like atmosphere. At one such event in the winter of 1777 a fights broke out as tensions in the area escalated putting public gatherings and society in general at risk. The diarist of Salem noted that the “Tories and Liberty men are so hot against each other” and the aggression was affecting every aspect of life in the region.⁵⁹

What placed the Moravians in the sights of patriots and loyalist alike was their refusal to bear arms, and their attempt to avoid taking part in “the controversy” all together. This animosity began with the forming the committee of safety for Surry County when it was requested that the Moravians send representatives to serve on the body. The Moravian merchants were also asked for advances of money from the struggling county government and militia. The Moravians responded to these requests by saying that serving on a committee of that sort would be going against their conscience.⁶⁰

As the militias moved from town to town young Moravian men would also move in hopes of not being caught by the militias and being forced to explain that they would not bear arms. Moravians who did not live in towns found it more difficult to hide, and quite often found that their names were on muster rolls. In the early stages of the conflict

⁵⁸ Bagge Manuscript 1776 and 1777, *Records of the Moravians*, III:1035, 1128.

⁵⁹ Salem Diary February 3, 1777, *Records of the Moravians*, III:1139.

⁶⁰ Letter to the Committee of Safety of Surry, August, 24th 1775, *Records of the Moravians*, II:940; The Bagge Manuscript, 1776, *Records of the Moravians*, III:1025-1026.

militia officers accepted the Moravians plea to be conscientious objectors. Moravians who appeared at county elections also made themselves more vulnerable since voting in elections also signed men up for the militia, and many patriots felt that in order to vote, a person must be willing to fight.⁶¹

This concern even interrupted Moravian religious services. Moravian ministers were warned in March of 1776 not to preach beyond the Yadkin River because a public service could make them a target, not of an attack, but of enlistment. Sometime in the late winter of 1776, individuals were attending a service found themselves surrounded by soldiers and some young men were pressed into service on the spot. The Salem diarist noted that they believed the minister had arranged for this to take place, but did not specify if it was a Moravian service or not. It was however, enough to make the Moravians limit their own services.⁶²

Militia leaders in the region were well aware of the Moravians' stance on bearing arms and it was largely tolerated. Moravians living in Surry County who refused to take part in the fighting against the Cherokee were not bothered by county leaders; however, their counterparts living in Rowan County were forced to pay £10 for each member who refused to serve in the campaign against the Cherokee. Recruiting officers did appear in Moravian towns in Surry County, but according to Turgotte Bagge of Salem "they did not try hard and accomplished nothing."⁶³

⁶¹ Bagge Manuscript, 1776, *Records of the Moravians*, III:1025.

⁶² Salem Diary March 23, 1776, *Records of the Moravians*, III:1054.

⁶³ Bagge Manuscript, 1777, *Records of the Moravians*, III:1130.

As the war progressed, more and more pressure was placed on the Moravians to openly choose a side and take part in the conflict. An advertisement was sent to the Moravians by colonial military leaders stating that the Moravians of Salem and Bethabara, specifically, were not exempt from service. Only the ministers, public millers and ferry keepers could claim such exemption and that all males ages 16-50 were to turn out with arms and accoutrements to be trained according to the law. The pressure induced some Moravians to turn out for the musters “for no better reason than to avoid trouble” despite the fact that it would go against their conscience. There is also indication that the Moravians feared that the situation in the region would disintegrate to the point at which they would have to choose a side, and they would be forced to fight.⁶⁴

The Moravians found a strong advocate for their cause in Martin Armstrong, who advised the Moravians to at least show up for musters so that there would be no trouble, and he could at least report to his superiors that they had done so. Armstrong acted as the middle man between the Moravians and the colonial officials. A compromise was reached so that the Moravians would not serve an active role but would pay a fine. In 1778 the Moravians of Salem were fined £111 for each member of the militia they were supposed to provide to fill the county quota of 88.⁶⁵ This amount is ten times more than

⁶⁴ The Moravians received orders and threats to turn out for the militia on numerous occasions and each time had to remind leaders of their exemption from military service. The Bagge Papers, 1777; Bagge Manuscript, 1777; The Advertisement regarding the exemption of the Moravians was sent to Jacob Bonn by Martin Armstrong with an attached letter dated June 20th 1777 and is published in *Records of the Moravians*, III:1129,1363-1367.

⁶⁵ Richard Goode to Martin Armstrong, July 14 1778; John Schaub to Jacob Bonn, May 22, 1777; The Bagge Manuscript, 1778, *Records of the Moravians*, III:1205, 1362-1362, 1369-1370.

the Moravians of Rowan were forced to pay for not participating in the Cherokee expedition and couple of years earlier, which may indicate the level of severity that the white inhabitants of the region saw the British threat.

On one occasion when the Moravians failed to show up and take part in muster in 1778, they paid the usual fine but they not only “suffered abuse and threats,” they also had to supply the share of clothing that the absent men would have brought to the militia. The Moravians exclaimed that in the situation of the war it was easier for them to find the money to pay for the clothing than it was to find the garments. The Moravian merchants had no clothing, and many of the inhabitants in the Moravian towns did not have sufficient clothing. The shortage of cloth and finished clothing was often due to plundering by the militia, who would commonly cut finished cloth from looms found in the Moravians’ homes.⁶⁶

Trying to avoid fighting was not the only aspect of the conflict in the backcountry that pitted the Moravians against their own conscience. The Moravians were warned by the Surry County Committee of safety that deserters from the militia were wandering throughout the region and the Moravians were not to provide them with work or shelter. In March of 1781 the Moravians were given a “friendly warning” from the Surry militia leaders to not send help to a nearby British hospital. It was against the Moravians’ moral code to not lend such assistance when needed. By the time this warning was delivered

⁶⁶ Bagge Manuscript, 1778, *Records of the Moravians*, IV:1204-1205.

the Moravians had already sent rags to use as bandages for the wounded soldiers, and action the Martin Armstrong forgave despite his threats.⁶⁷

Late in the war, as the situation in the backcountry grew more and more violent the Moravian town of Bethabara became the site of executions. The first of these hangings was in September of 1780 and the town's inhabitants begged Colonel Armstrong not to hang the man, or at the very least to change the location. Armstrong did not grant this request and the man, who was only identified as Reid, was tried in the middle of the town square. When it was asked if anyone had anything to say that might have changed the man's fate, "no one had anything particular to add" and the sentence was carried out. The Diarist of Bethabara noted that it "was very hard day." Later executions were noted in the Bethabara Diary and the Moravians opposed all of them, but no longer openly protested them.⁶⁸

Another factor that placed the Moravians between a rock and a hard place was that they were merchants and craftsmen, and they supplied goods to the surrounding area. As merchants, they were in frequent contact with people outside of the region for your resources and goods. These folks outside the region were unfamiliar to those within the region and suspicion of these contacts was rampant. The committee of safety from both Surry and Rowan intercepted packages traveling to the Moravians, particularly if they were from England and occasionally seized some from Germany. It became a regular

⁶⁷ Minutes of the Salem Board, 1776, *Records of the Moravians*, III:1088; Diary of the Congregation in Salem, 1781, *Records of the Moravians*, IV:1688.

⁶⁸ Bethabara Diary, 1780, *Records of the Moravians*, IV:1626, 1632.

occurrence that representatives from the Moravian settlements would have to travel to the committee of safety to pick up their mail and open it in the presence of the committee.⁶⁹

Being merchants and part of the wider trade network carried other risks for the Moravians since who you did business with, and how you did it could land you in hot water with overzealous patriots or Tories. For the militias in Surry and Rowan counties the Moravian merchants were their largest supplier of military supplies and other goods from as far away as Charleston. These vast connections allowed them to get supplies that were in short supply in the region, particularly salt.⁷⁰

This trade benefitted the Moravians financially at least when the patriots were able to pay for anything. But it did place them in an awkward spot morally. As pacifists they struggled with the idea of selling supplies that would be used to take the lives of human beings. Many Moravians in the settlements objected to the trade. The Salem Diarist noted that merchants were scolded by others for “hauling salt for the Boston party.” The conclusion that the Moravians came to was that it would be dangerous not to do business with the militias especially considering the suspicion they were already under as conscientious objectors to the violence.⁷¹

⁶⁹ The Bagge Papers, 1776 and Salem Diary March 17, 1776, *Records of the Moravians*, III:1056-1057, 1351.

⁷⁰ Bethabara Diary, 1781, *Records of the Moravians*, IV:1739; Bagge Manuscript 1776, *Records of the Moravians*, III:1026.

⁷¹ Diary of the Salem Congregation, September 27, 1775, *Records of the Moravians*, II:884-885; Salem Diary February 10, 1776, *Records of the Moravians*, III:1048.

Trading with the local patriots did not insure complete safety in the atmosphere of the region during the war. Like any other merchant the Moravians could be called before the committees of safety if the business was not conducted in a way satisfactory to the cause of freedom. Turggote Bagge's close connections with the Surry County Committee of Safety were not enough to keep him above suspicion. He was called before the Committee under the accusation that he was charging more than what was considered a reasonable price for his goods. The accuser later recanted, and according to Bagge "became ashamed of himself." Bagge was also investigated after sending wagons east to Cross Creek to pick up supplies. A rumor circulated that he had sent them for the governor to use, but this was found to not be true.⁷²

Another issue that merchants had was the problem of currency which was prevalent throughout the colony, but especially so in the backcountry. For one, there was a lack of hard currency, so almost everything was based on debt. To do otherwise would not have been a smart business practice in such an economy, and as Daniel Thorp has pointed out, to the Moravians it was a morally wrong to deny credit, if something was needed. Often when cash strapped militiamen took something from artisans or shop owners they would charge it even though payment was doubtful. At the same time objecting to credit could put an individual or any group on the wrong side of the powerful committee of safety.⁷³

⁷² Bagge Manuscript, 1776; Salem Diary February 10, 17, 1776, *Records of the Moravians*, III:1032,1048.

⁷³ Diary of the Salem Congregation, September 27, 1775, *Records of the Moravians*, II:884-885; Salem Diary, Feb 23. 1776, *Records of the Moravians*, III:1047.

The other problem is that hard money was difficult to come by, but not out of lack of options of it. Turgotte Bagge noted that there were actually four different types of currency flowing through the region. There was “Congress Money” which had the benefit of being good anywhere in the colonies. It was sometimes referred to as the “new money.” There was also North Carolina, South Carolina and Virginia money. The problem with these is they lost value outside of the state. The problem with all of them was if the Patriots lost the war, they were all completely worthless. The other problem was, refusing to take it was seen as an act of hostility against the patriot cause.⁷⁴

“people everywhere would like to have peace.”

In mid-summer 1780 Elizabeth Steele wrote to her brother in law in Pennsylvania to relay to him the deteriorating events in the North Carolina backcountry and the south in general. She wrote:

You have had your time, and now comes ours. We have been surrounded by Tory insurrections, one party on the forks of the Cutabo (Catawba River) have been defeated with considerable loss. Another from the forks of the Yadkin have been pursued but not overtaken. At present the State is uninvaded, but about 500 British are at the Waxans. The Tories are flocking in. South Carolina and Georgia are in the enemies hands. Our army is advancing near Cheraws and I hope before this year be done the British and Tories will be all cooped up in Charleston.⁷⁵

Elizabeth Steele sums up very well the situation in the south in the summer of 1780. Her network of newsmongers had served her well. The social conflict that had

⁷⁴ Bagge Manuscript, 1776, *Records of the Moravians*, III:1030.

⁷⁵ Elizabeth Steele to Ephraim Steele, July 13, 1780, John Steele Papers NCDAH.

been building in the years prior to the Revolution was now spilling over into a full scale war. As Steele noted, by the summer of 1780 the enemy were no longer the local “tory insurrections” but now the threat of a British invasion was very real. With this threat the Tories in the region were spurred into action. The year 1780 marks the beginning of the third, final and most violent stage of the war in the North Carolina backcountry. Jeffery Crow has noted that by 1780 the North Carolina backcountry was in a state of civil war and that by the time the war was over some areas were not in control by either side of the conflict.

In the early spring of 1780 rumors of a Tory uprising began to circulate in the backcountry. The rumors raised enough concern to call out militia from Guilford County to march into Surry County to find the Tories which were never located. This uprising was said to be led by men known to be horse thieves and who had a large following. As the situation seemed to be moving to all out war in the North Carolina, backcountry the Moravians in the region indicated that the partisan war that had already been going on had worn the region down and that all “circumstances indicated that people everywhere would like to have peace.”⁷⁶

By the summer of 1780 Cornwallis had control of South Carolina and was very confident that his invasion of the North Carolina “back part” would be a quick success due to the Tory support in the region. As the threat of a British invasion of the South grew more likely the Tories that were so prominent in the region began to increase their

⁷⁶ “The Diary of the Congregation in Salem for the Leap Year 1780,” *Records of the Moravians*, IV:1536.

activity. Some historians have even suggested that this increase was part of a larger coordinated effort in the region. The Tories were to remain largely inactive until Cornwallis was close enough to invading the State to give them the support that they needed. In the summer of 1780 backcountry inhabitants noted that the Tories seemed quiet, enough so that rumors were circulating that they had left the state to join the English army, though this was not the case.⁷⁷

Another factor that increased the Tories activity and swelled their numbers, were the actions of the patriot militia who were persecuting anyone they suspected of being a Tory, and plundering throughout the region. Courts in the backcountry were filled with Tories who had been charged with treason against the state. In September of 1779 nearly 80 individuals appeared in the Salisbury court under the charge of treason. The chaos of the conflict played in their favor though, as the court only found time to try ten of them, all of whom were all convicted and condemned to death. Accounts from the time noted that some of the condemned were young men and mercy was requested by the jury. These actions won support for the Tories, despite any kind of political ideology.⁷⁸

By the fall of 1780 the Tories in the region were as organized as the patriot militia. Nearly 500 marched through Salem without “molesting anything” as onlookers noted that it seemed as though “the entire Tory party had risen.” The Tories along the Yadkin River who, had long been persecuted since the beginning of the war took

⁷⁷ John Buchanan, *The Road to Guilford Courthouse: The American Revolution in the Carolinas* (New York: John Wiley and Sons, 1997), 105-106; “The Diary of the Congregation of Salem for the Year 1780,” *Records of the Moravians*, IV:1550-1551.

⁷⁸ Crow, “Liberty Men and Loyalist,” 131, 140-141; DeMond, *Loyalists in North Carolina*, 119.

advantage of the recent boost in support and began to seek revenge on patriots who had treated them so poorly. Gideon Wright, who was now a Colonel in the Tory militia, and his brother Giery were blamed for being the leaders of these “Banditts and Plunderers, whose ignorance is to be dreaded.” Futher south in Rowan County, Samuel Bryan was also very active and put together a force of about 800 men. Bryan had at one time served on the Rowan County Committee of Safety. At the height of their power the Tories in Surry County were strong enough that Patriot forces were unable to operate within the county and were forced to travel into Virginia to help quell the Tory insurrections in that State.⁷⁹

The Tory uprising in the Summer and Fall of 1780 was short lived. The patriot militia began very actively rounding up known Tories including James Glen who had represented Surry County at the Provincial Congress in 1775. In October the large Tory militia that Gideon Wright was able to assemble was defeated at the Battle of Shallowford in Surry County. Soon after this defeat Tories throughout the region began turning themselves into the Patriots and were pardoned of crimes, so long as they served in the Patriot militia. Even those who had already been rounded up were released in Surry County if they promised to serve six months. These were very generous terms and included the right to go home and “wash their clothes” before returning for service. This agreement did not bring a complete end to the violence and confusion. Giery Wright was

⁷⁹ The Diary of the Congregation of Salem October 13, 1780; Bethabara Diary October 4, 1780, *Records of the Moravians* IV:1571, 1629; Major Mark Armstrong to Brigader General Sumner, October 7, 1780, *State Records*, XIV:675-676; Demond, *Loyalists in North Carolina*, 61.

said to be planning to turn himself in when he was shot in his own home in November of 1780.⁸⁰

The fall of 1780 was not entirely successful for British troops trying to move into the state either. Cornwallis' left flank that was made up of Patrick Ferguson and his regiment was defeated at the Battle of King's Mountain on October 7, 1780 by the famed Over the Mountain Men. With the loss of this flank Cornwallis was forced to retreat back into South Carolina. Elizabeth Steele reported the victory to her northern contact later that month. She wrote: "With the utmost satisfaction I can acquaint you with the sudden and favorable turn of our public affairs." She then provided her brother-in-law with fairly accurate information on casualty numbers and the fact that Cornwallis was quickly heading out of the state.⁸¹

The British closing in created logistical issues for the North Carolina backcountry as refugees from Georgia and South Carolina flocked into the region to escape the British troops. The influx of this new population wreaked havoc on the region as individuals cattle were driven off or intermingled with herds being driven by the refugees. Some of the refugees arriving in Salem had been turned away from Salisbury. They camped around Salem and those that could stayed in the Tavern. The biggest complaint that the backcountry inhabitants had of these visitors were the number of slaves that they were bringing into the region. The Moravian diarist of Salem noted that the fields and woods

⁸⁰ Bethabara Diary, Sept 17, 1780; From the Congregation of Salem October 15, 31, November 1 and 8, 1780, *Records of the Moravians*, IV:1571-1576, 1628.

⁸¹ For more information on the Battle of King's Mountain see, Buchanan, *The Road to Guilford Courthouse*; Elizabeth Steele to Ephraim Steele, October 25, 1780, NCDAH.

outside of Salem resembled a “negro village.” The refugees proved to be an unruly lot. The tavern in Salem took down its sign to avoid selling alcohol to the new comers and tensions between the groups led to violence. The Diary of the Salem Congregation noted on July 14, 1780 that the newcomers were causing general confusion in the region and that “Joseph Booner was beaten half to death and so on.”⁸²

The Revolutionary War in the North Carolina backcountry affected the logistics of backcountry society and impacted the lives of everyone in the region regardless of political stance or lack thereof. The Revolution was yet another dramatic example of backcountry citizens trying to form a society to suit their needs. Previously this was sought at the local level through petitions and the Regulation, now it was at the national level with national support. The American Revolution disrupted the old political authority and created a vacuum of power. By the end of the war the Whigs were firmly in control of the region, many loyalist had fled the region or were completely destroyed economic and politically. Through illegal land acquisitions from Native Americans and seizing land from suspected loyalist the Revolution created an elite in the backcountry that would rule throughout the Confederation period in North Carolina.

The war with the Cherokee was far from over by 1781. Sporadic fighting would remain commonplace in the region as the lax land policies of the Confederation government allowed for more acquisition of this land. In the face of a new land rush the

⁸² The Diary of the Congregation in Salem, June 3, 14, July 15 and November 9 1780, *Records of the Moravians*, IV:1542-1576.

Cherokee were a weak and divided nation through years of war. Throughout the Confederation period the Cherokee would seek to establish a middle ground in which they could survive in a changing world. The western lands of North Carolina would be the backdrop of the destruction of the Cherokee and the theater in which the role of the backcountry in the new government would be decided.

CHAPTER IV
TAMING A NEW FRONTIER:
THE NORTH CAROLINA BACKCOUNTRY'S WESTWARD EXPANSION
1783-1787

The time between the end of the Revolutionary War and the ratification of the Constitution was a critical period for patriots, loyalists, non-associators, and Native Americans in the North Carolina backcountry. White settlers were living in a region that was developing geographically, demographically and politically. New counties were being added to accommodate the expanding population as revolutionary leaders such as John and Martin Armstrong began to capitalize on their service during the war to become the new generation of state leadership, which was exacerbated by the weakness of federal authority, making state wide political offices the highest achievement in the early Republic. The era also offered opportunities for backcountry inhabitants to establish themselves higher up the social ladder by taking advantage of the cheap purchase of lands confiscated from loyalists during the war.¹

¹ Political leaders and historians since then have debated whether or not citizens felt that the Declaration of Independence created a United States, in which a balance was to be struck between a continental government and state governments working in tandem. However, this attitude changed, not only was federal authority weak, Edmund Morgan argues that states became contemptuous of Federal authority and openly defied Federal authority. Despite what the intentions of the continental and state governments were, and sense of a symbiotic relationship fell apart and the two vied for power over the other. *The Birth of the Republic: 1763-89* (Chicago: The University of Chicago Press, 1992), 103, 125; Gilpatrick, *Jeffersonian Democracy in North Carolina, 1789-1816*, 11.

The inhabitants of the backcountry looked farther west as land speculators in the region, and further east, sought new opportunities for profit with the disappearance of British land restrictions, and in response to the state's effort to create revenue by selling western land claims. This land rush placed the speculators against two foes: the Continental Congress and the Cherokee Indians. White backcountry inhabitants resisted the loss of western lands and territory to the federal government; meanwhile the Native inhabitants turned to the Continental government out of desperation for a stronger ally against white encroachment. The struggle that developed between federal authority and Indian sovereignty would begin to define the political and social place for all the inhabitants of the southern backcountry in the new nation.

“Now we can feel certain that peace has been made.”

In November 1783 the Moravians of Salem received word from Charleston of the peace treaty officially ending the Revolutionary War. In celebration of the news the diarist of Salem exclaimed that “Now we can feel certain that peace has been made.” The town of Salem was the site of the first 4th of July celebration in North Carolina.² At the same time; however, the North Carolina backcountry was a hive of activity following the American Revolution. In 1784 the General Assembly of the state passed an act to establish an academy in Salisbury, with many of the region's political elite serving as trustees. In celebration of independence they academy was named Liberty Hall.

² “Salem Diary, November 23rd 1783,” *Records of the Moravians*, IV: 1844; Powell, *North Carolina Through Four Centuries*, 111.

Meanwhile the state and county's road construction projects shortened the traveled distance between towns and trading centers, aging water pipes bringing flowing water into Salem were being rebuilt. The Moravians in Salem were ordering textbooks to replace those in the schoolhouses, along with new maps for the walls. In addition an unfortunate fire destroyed the tavern in Salem prompting a massive construction project to be undertaken by the Moravians. All of this activity following the Revolution no doubt brought a sense of revival to white population of the region.³

The revitalization of the North Carolina backcountry was accompanied by a shift toward greater political stability. The Moravian diarists that were a constant voice of political events during the Revolution shift their focus to community events, farming pursuits and the weather. In constructing their new state government the people of North Carolina formed a system that included a Senate and a Lower House of Commons. The only requirement to run for the State Senate was to own at least 300 acres of land, and in order to vote for a Senator men needed to own 50. To vote for the House of Commons required only to have paid public taxes. Statewide political positions such as the Governor or Judges were chosen by the Senate. This practice kept the focus of government in North Carolina at the local level, and since these offices were elected

³ "Minutes of the Salem Boards, June 16, 1784," *Records of the Moravians*, IV:2034. Historians have noted that a renewed emphasis on intellectual activity was a character of the new American society and education was an outgrowth of that, Morgan, *The Birth of the Republic*, 121; "An Act for the encouragement of Learning in the District of Salisbury," *State Records*, XXIV, 690-692.

annually, the turnover was fairly rapid which residents believed kept the power in the hands of the populous as much as possible.⁴

The Armstrong brothers were building on their reputation as patriot leaders in the region during this early post-revolutionary period. In 1783 Martin Armstrong was serving as a state senator and as elections were approaching in the winter of 1784 Moravians thought it best to vote with one unified voice so as to not create hostilities in their own towns and to be sure an “unworthy man” did not win elected office. They thought that Martin Armstrong would again be the best person to select for the Senate. His support of the Moravians throughout the conflict was now paying dividends in political support. They also supported James Martin and Robert Lanier for members of the Lower House. Robert Lanier did not win a seat in the Burgesses: the seats went to James Martin and James Lewis. Martin Armstrong did not win the spot for Senator either, but his brother John did.⁵

At the same time the region was adjusting to cultural changes which were a disturbing sign to some. Samuel McCorkle lamented in a sermon that “Religion alas has almost expired in the war, nor has she yet to raise her drooping head.” The Moravians in Salem also saw a new culture in the region which they interpreted as a product of a

⁴ Gilpatrick, *Jeffersonian Democracy in North Carolina, 1789-1816*, 25. Under this political system each county was represented by a Senator and two individuals for the lower houses. Larger towns such as Salisbury and Hillsboro were also represented. Any political positions under the Governor and the Judiciary such as the Attorney General, Treasurer, and even officers in the standing army and militia were elected by the two lower Houses. Henry Gilbert Wagstaff, “State Rights and Political Parties in North Carolina 1776-1861,” *John Hopkins University Studies in Historical and Political Science*. XXIV No. 7-8 (July-August), 1906, 455-456.

⁵ “Salem Diary, March 12, 1783,” “Minutes of the Salem Boards, February 26th 1784,” “Diary of the Salem Congregation, August 21, 1784,” *Records of the Moravians* IV:1838, 2020, 2029.

changing time. The workmen whom the Moravians hired to rebuild the Salem tavern were refused the typical dram of brandy during the work day. This restriction was imposed in hopes of staving off a prevalent laziness and rise in alcoholism that the Moravians observed in their society. As a result of this decision, the workmen demanded higher wages to compensate for the loss of brandy. Laziness was not the only change that the Moravians observed. Discord was becoming more prevalent in their society, “in which a man does not hesitate to say rude things to another.... and does not apologize.” Moravians archivist and historian Adelaide Fries noted that this lack of civility was a symptom of “The restlessness which always follows a great war.”⁶

On a larger scale, the new states were simultaneously trying to formulate policies for the western lands and determine where these lands would fit into the new nation. The western lands became central to the conflicts between state governments and the growing federal government. Cathy Matson and Peter Onuf described the relationship between the individual states and the Continental Congress as being “leading strings” with the states in control of those threads. States could ignore Congressional orders in regards to finances, set their own land policies, and establish treaties with Native American tribes. With state legislators choosing Congressmen, instead of a popular election, the Continental Congress did not have popular support nor could it govern effectively. Onuf went on to explain that western lands played a significant role in a very critical period in forming an ideology of national interests over state interests and by 1784-1785, Congress

⁶ Minutes of the Salem Boards, May 27th, August 4th, *Records of the Moravians* IV: 2033, 2036; Samuel McCorkle, “A Sermon for the Anniversary of American Independence, July 24, 1786, 20.” Special Collections Duke University.

was attempting to create a sense of national unity in the creation of a “national market in western lands.”⁷

“a veritable Inquisition”

The land policies adopted by the patriots which have been described by historians and contemporaries alike as “predatory,” were particularly divisive issue during the revolutionary era in the North Carolina backcountry. Those who had close connections, or were directly a part of the Whig government, had every advantage in obtaining land, either through legitimate or unscrupulous means; and filing land papers to obtain a legal title to it. It was this process that shaped the society and political culture in the backcountry immediately following the war.⁸

As the Whig government became firmly established in North Carolina in the later years of the war, one of the first aspects of old British colonial authority it sought to overturn was the set of restrictions placed on obtaining land grants, which had been completely halted just prior to the war. In 1777 the General Assembly passed an act that established land offices in every county and made available all land that had not previously been open or given a legal title; however, this option was limited since individuals who were loyalists or “non-associators” did not register land, even if it was the land where they were already living for fear of having it confiscated. Or at the very

⁷ Cathy Matson and Peter Onuf, “Toward a Republican Empire: Interest and Ideology in Revolutionary America,” *American Quarterly*, 37: No. 4 (Autumn 1985), 527; Peter Onuf, “Liberty, Development, and Union: Visions of the West in the 1780s,” *The William and Mary Quarterly* 43, No. 2 (April 1986), 204, 209.

⁸ Crow, “Liberty Men and Loyalists,” 153-154.

least, they would be publicly humiliated and perhaps assaulted. At the same time Patriots, after proving they had taken the state oath “twice and thrice” easily entered land to which they had no claim, and legally became the rightful owner, while the inhabitants who had been loyalists had no legal recourse to do anything about it. Moravian merchant Turgotte Bagge wrote that the land offices became a “veritable Inquisition” in the later stages of the war.⁹

Another factor contributing to these land disputes was that the land confiscated from loyalists would be sold at public auction or awarded to those who had served or were serving the Whig government. As late as 1782 when the war was winding down the North Carolina General Assembly passed a broad confiscation act targeting the property of loyalists. The first targets of this act were Colonial Governors Tryon and Martin. Rowan County sold fifty-four confiscation land claims between June 5, 1784 and November 15, 1787. The North Carolina General Assembly decided in May of 1784 that the lands of active loyalists James Roberts of Surry County, Samuel Bryan, William Spurgin, and Matthias Sappenfield, all of Rowan County be sold “for the use of the state.”¹⁰

There was much to be profited from in confiscated lands, so much so that political positions were created just for its management. Joseph Phillips, who had been an active member of the Surry Committee of Safety and achieved the rank of colonel during the

⁹ “Bagge Manuscript, 1778,” *Records of the Moravians*, III:1205; Crow, “Liberty Men and Loyalists,” 152-153.

¹⁰ DeMond, *The Loyalist in North Carolina*, 58; “A Bill to Amend and Reduce to System the Confiscation Laws Now in Force in the State,” *State Records* 19: 672; Henry McGilbert Wagstaff, “State Rights and Political Parties in North Carolina, 1776-1861,” 458.

war, was made one of the Commissioners of Confiscated Property. Robert Lanier, who was already a successful merchant, and member of the committee of safety also served as one of the Commissioners of Confiscated Property in Surry. This committee dealt with over £5000 worth of confiscated property in the summer of 1781 alone was by far the most profitable year for confiscated property in Surry County. In 1780 the commissioners dealt with £3,440 worth of land, and a meager £800 in 1782. The documents of this committee do not indicate whether this was possessions or land, and the amount other than the financial value. They also do not indicate who the original property owners.¹¹

Rowan County was just as active in the business of confiscated lands. Patriot leader Griffith Rutherford was appointed as the Commissioner of Confiscated Land in Rowan County. Under his leadership in the winter of 1782, 160 people had to appear in the Rowan County court to prove their loyalty so that their land would not be confiscated. All 160 were denied retention of their property that year. In the fall of 1783, Rowan County records reveal the sale of 54 tracts of confiscated lands with a total value of £19,000. Confiscation of loyalists' lands also brought down the notorious land baron Henry McCulloch, who owned a good portion of the confiscated lands in Rowan County.¹²

Under the leadership of Alexander Martin the state attempted to overturn the Confiscated land laws in an effort to restore peace among the citizens now that the war

¹¹ "Commissioners of Confiscated Property" Surry County Will Book II, 20. Housed in the Clerk of Court's Office, Dobson, North Carolina.

¹² Brawley, *The Rowan Story, 1753-1953*, 84-85.

was over. However, this measure was defeated by a group in the assembly that historian James Brawley identified as “radical” which was led by Griffith Rutherford. These radicals that were mostly in the backcountry were making too much money from confiscated lands to allow the state to take that revenue away. Historian Delbert Gilpatrick has also suggested that there was a sense of revenge attached to the land confiscation, particularly in the backcountry where the Revolution turned into a civil war. The aggressive stance towards confiscated lands kept many loyalists from ever trying to reclaim their lands and helped fuel something of a social and economic revolution in the North Carolina backcountry. Confiscated land was sold in large plots and at relatively low prices allowing backcountry farmers to purchase more land than was previously available to them. This process created an entirely new class of small landholding individuals, and since the land was being sold by state and county leaders it did not upset that balance of power. Woody Holton has argued that this unique phenomenon in history allowed the wealthy class to grow wealthier, but not completely at the expense of the small landholders, who were able to benefit as well.¹³

Holding onto one’s property was often used as an incentive for Tories to serve in the militia. The Bethabara diarist noted that by 1781 some militia units were dominated by such individuals. Perhaps the land laws were too aggressive and the inquisition pursued by the land offices led some to question the nature of the new republican

¹³ “Seventh General Assembly April 18, 1783,” Senator Henson P. Barnes, *Work in Progress: The North Carolina Legislature* (Raleigh: Published by the North Carolina Legislature, 1993), 17; James Brawley states that confiscated land was generally sold in 200 acre plots and not only were prices low, but credit was also very easy to obtain at this time. *The Rowan Story, 1753-1953*, 85; Gilpatrick, *Jeffersonian Democracy in North Carolina, 1789-1816*, 29; Holton, “Did Democracy Cause the Recession that Led to the Constitution?,” 446.

government. One such case was James Forbes and blacksmith from Rowan County who struggled to oppose the land policies of the Whig government. A friend of Forbes' identified as Spears was set to lose his land to a militia officer and Justice of the Peace John Johnston. Through his militia service Johnston had laid claim to the land and Spears offered to buy it back from Johnston, who refused. According to Escott and Crow Spears and Forbes both realized that "forces more powerful than they could oppose were at work." The dispute led Forbes to denounce the Whig government and declare that the new government was governing through fear and intimidation.¹⁴

Land confiscation was also a threat to the Moravians in the region, who had refused to fight on either side. The group had faced discrimination, been threatened, and been the victims of looting by both patriots and loyalists as a result of their conscientious objection to fighting. Even before the war was over the Moravians saw ominous signs in those around them, in regards to their land. Traugotte Bagge noted in 1778 that "Many persons around us, who wished to be considered as belonging to the better class, planned to take advantage of the opportunity and fish in troubled waters, and to possess themselves of land belonging to the Brethren in Wachovia and elsewhere." In hopes of taking advantage of the confusion brought on by war and land confiscation, particularly audacious individuals would enter Moravian land into their own names. The entire town of Salem was entered by an individual identified only as a "lame drummer" and Bethabara and Bethania were entered by "a no-account fellow who lived at the home of

¹⁴ "Bethabara Diary, February 14, 1781," *Records of the Moravians*, IV:1743; Paul Escott and Jeffery Crow, "Social Order and Violent Disorder," 390.

the Entry Taker.” Some individuals who were trying to improve their lot in life were not quite as bold as the two mentioned above, and many of those hoping to advance themselves in this chaos simply “hid behindthe mob.” These entries might not have been successful but they illustrate how backcountry inhabitants interpreted and saw advantage in the chaos the war left the region in. ¹⁵

The justifications given for trying to swindle the Moravians out of their land were numerous. One claim asserted that the land was owned by an Englishman named James Hutton, a wealthy land baron cut from the same mold as Lord Granville. It was also claimed that the Moravians appeared on the list of those to be exiled from the country during the war; and that they had not taken the oath of allegiance. All of these issues meant the Moravians would not have legal recourse if their land was taken. ¹⁶

The Moravians fought back by taking their complaints to the State Assembly since “there was no end to the annoyance” in regards to the issue of the Moravians not taking the Oath of Allegiance or serving in the military, and they wanted the issue dealt with once and for all. They had every right to be concerned, because the land was granted to them and had not been entered. The Moravians won their legal battle and the North Carolina assembly noted that their “Rights and Liberty had been granted” and that through their “agriculture, trade and manufacturers had been improved and extended in the western part of the State.” This final settlement of the matter was advertised throughout the region via broadsides posted by the Moravians themselves warning

¹⁵ The Bagge Manuscript, 1778, *Records of the Moravians*, III:1205-1206.

¹⁶ *Ibid*, 1205-1206.

readers not to attempt to seize Moravian lands. Turgotte Bagge noted that the advertisements were “treated with scorn” but were “not without effect.”¹⁷

News of another political victory for the Moravians came by way of a letter from Martin Armstrong in the Spring of 1783. The Moravians were no longer required to pay the “three fold tax” that was imposed on them in lieu of militia service. Fair taxation for the Moravians did not sit well with other inhabitants in the region. By 1786 many of the region’s inhabitants had become jealous of the special status that they believed the Moravians had gained. They felt that the Moravians were “too much favored” and began to pass around a petition throughout the region to oppose the benefits granted to that the Moravians. The belligerence against the Moravians shaped their political ideology, leading them to seek out political leaders that were not opposed to them. This concern is why they supported the Armstrong brothers and Robert Lanier throughout the years after the Revolution. It was the political support of these prominent individuals and the Moravians’ economic importance that kept them safe in the chaotic years that followed the war.¹⁸

Settling a Newer Frontier

For many the lure for land on the frontiers pushing further into and onto Indian land had become too great to resist. Lack of hard currency in the backcountry had become a burden to farmers who could not pay their rents on the lands, which were made

¹⁷ Ibid, 1206-1209.

¹⁸ “Bethania Diary, May 4, 1783,” *Records of the Moravians* IV:1867; “Minutes of the Salem Boards, October 18, 1786,” “Salem Diary, August 18, 1787,” *Records of the Moravians* V: 2143, 2172-2173.

increasingly burdensome by back rents going back several years during the war. These farmers viewed unclaimed Indian land as an opportunity to start fresh. Also looking to settle Indian lands were individuals who were left financially ruined by the war, some of whom were the infamous “outliers” who had left their homes to hide from the patriots, and in some cases had joined the British during the war. To many of these farmers, the quick fix was to leave the land they were on and migrate further west; Tennessee, Kentucky, or South to Georgia were common destinations for those seeking a fresh start on an even newer frontier. Those who were stable enough to stay where they were sought profits in the land rush that characterized the settlement of what would become Tennessee.¹⁹

This unstable economic environment not only opened up new land for settlers, but new avenues of profit for speculators as well. As early as 1777 the North Carolina General Assembly reestablished the state’s western boundaries which included all of what would become the modern state of Tennessee. The benefit of this expansion to the state was that by the early 1780’s they could offer the land to Revolutionary War veterans in plots that ranged from at least 640 acres and up to 5,000 acres of land. The North Carolina General Assembly established a land office in Hillsborough solely for issuing land entries in Tennessee. The Act to establish this office specifically named John Armstrong of Surry County to oversee the land entries. As a member of an ambitious political, and land speculating family, the Armstrong’s service to the state was paying

¹⁹ F.W. Marshall to Br. Reichel, February 15, 1784 from *Records of the Moravians* V:2045-2046; Crow, “Liberty Men and Loyalist,” 175.

huge dividends. Patriot leader Griffith Rutherford had also acquired a lucrative position on this new frontier as a surveyor for the company, and traveled through the western territories in 1783 and 1784 laying out plots for soldiers.²⁰

When veterans wanted to claim land in the new frontier, they had to go through the primary surveyor for the district and these positions were held by Surry County's patriot leaders Martin Armstrong and John Armstrong. After surveyors laid out the claim it was sent to the Secretary of State for North Carolina where the claim was recorded and a grant was then issued by the state. By Spring 1784 "vast amounts" of these claims had been entered and paid through the public land office. More often than not, the need for cash forced many veterans to sell their claims to powerful speculators, and those who did not sell often lost their claims later on to speculators.²¹

"the colonizing spirit of Richard Henderson."

The Tennessee land grab created a political culture in the region that was dominated by what historian Kristopher Ray refers to as "a small clique of surveyors and speculators" throughout the 1760s and 1780s. In his work *Middle Tennessee 1775-1825*, Ray illustrates that the power and influence of these individuals was backed by their

²⁰ "An Act to Amend An Act, Intituled, "An Act for Opening the Land Office for the Redemption of Specie and Other Certificates, and for Discharging the Arrears Due to the Army," *State Records* XXIV: 565-566; Ramsey, J.G.M. *The Annals of Tennessee to the End of the Eighteenth Century* (Johnson City: The Overmountain Press, 1991), 279-280; Journey of Br. Martin Schneider from Salem to Long Island on Holston River, and from there farther to the Upper Cherokee Towns of the Tennessee River from the Middle of December, 1783 to January 24, 1784, *Records of the Moravians* V:1978; Kristofer Ray, *Middle Tennessee 1775-1825: Progress and Popular Democracy on the Southwestern Frontier* (Knoxville: The University of Tennessee Press, 2009), 5-6.

²¹ Ramsey, *The Annals of Tennessee to the End of the Eighteenth Century*, 279-280; Ray, *Middle Tennessee*, 6.

accumulation of land and the lenient land policies in North Carolina. Ray also argues that this speculator elite ruled without any major challenges because there was no political system that allowed for checks and balances while Tennessee was simply a territory (see map 3). This situation was coupled with traditional ideas of deference in which lower class settlers rarely challenged the authority of the ruling elite. Land speculators could utilize Tennessee to form a republic or oligarchy of their own; eventually the North Carolina tried to reign in the power of these early speculators with mixed success.²²

The political power that accrued to the speculators was not accidental, as the goal of the Richard Henderson and his Transylvania Company purchase from the Cherokee in 1775 was to establish a separate government in the west. Even before the land was purchased, Richard Henderson and his cohort were advertising the land throughout North Carolina to promote the movement of settlers into the area once the purchase was made. The level of ambition attached to this scheme led one North Carolina colonial leader to wonder “is Dick Henderson out of his head?” As early as 1775 state leaders feared that the land that Richard Henderson swindled from the Cherokee Indians was obtained with the designs of becoming an independent government, which was a creation of what historian Archibald Henderson referred to as “the colonizing spirit of Richard Henderson.” Colonial leaders largely distrusted the intentions of the Transylvania Company, which had openly broken British law by making the purchase of land beyond

²²Ray, *Middle Tennessee*, xvii, 161, 165.

the Proclamation Line of 1763. North Carolina's Governor Martin dubbed Henderson the "famous invader" and his group of speculators and adventurers "land pyrates."²³

The goals of Richard Henderson's land purchase were imperial from the onset. Henderson hoped that the King would recognize the title of the land and he would be able to draw rents from the settlers, much like the absentee landowners that owned so much of the North Carolina backcountry prior to the Revolution. If the King did not recognize the land title then the ongoing Revolution might provide the means to establish an independent colony. Henderson waited for neither to happen. In May of 1775 he called a committee of settlers already in the region and began to form a constitution for an independent government in the Tennessee region.²⁴

The convention began with an address from Henderson himself in which he stressed the importance of the undertaking at hand and the consequences that it would have, not just for the settlers, but for the nation as a whole. He also stressed the legality of such an endeavor and that it did not violate the laws of Britain or the American Colonies. To Henderson this bold move was justified because of the remoteness of the settlement and the dangers that they faced. Henderson and the settlers were very well aware of the fact that they were on their own, and that they all faced "one common danger." This common danger is perhaps a reference to the Native Americans on whose

²³ Henderson, "Richard Henderson and the Occupation of Kentucky, 1775," 341, 351, 359.

²⁴ Most speculators shied away from purchasing or seeking land at this time. The instability and uncertainty of government control kept the land offices silent through 1776. Abernathy, *Western Lands and the American Revolution*, 124, 171; Richard B. Morris, *The Forging of the Union, 1781-1789* (New York: Harper and Row, 1987), 117.

land they were living. To deal with the threat of “hostilities and incursions of our savage enemies” Henderson and his settlers began regulating a militia.²⁵

The other problem that Henderson’s “little society” faced was from “foreigners,” which was the term Henderson used to apply to white hunters who had no interest in settling. Henderson’s words make in very clear that he wanted industrious settlers. If the settlers had to compete with outside hunters, then the value of trade within their own settlements would be depreciated. The laws of the settlement are very clear that wild game was essential to their survival, both in a physical and economic sense.²⁶

Henderson knew that to some his settlement would appear “ridiculous or idle,” but make no mistake this was a clearly thought out plan and extremely organized. The constitution set up by the settlement not only established a militia, but a court system (keep in mind Henderson was a judge by profession) and criminal codes as well. The government also established religious freedom and toleration, set the price of rents at no more than two shillings per hundred acres, and wrote into law that “the Land Office be always open.”²⁷

The Henderson purchase was at the center of some very intense fighting in the summer of 1777 when both Virginia and North Carolina were launching major campaigns against the Cherokee; however, when the fighting ended the treaty that

²⁵ A full record of the proceedings of this committee and subsequent laws can be found in “A Journal of the Proceedings of the House of Delegates or Representatives of the Colony of Transylvania Begun on Wednesday (Tuesday), The 23rd of May in the Year of Our Lord Christ 1775, and in the Fifteenth Year of the Reign of His Majesty George the Third King of Great Britain,” *Colonial Records IX*: 1267-1278.

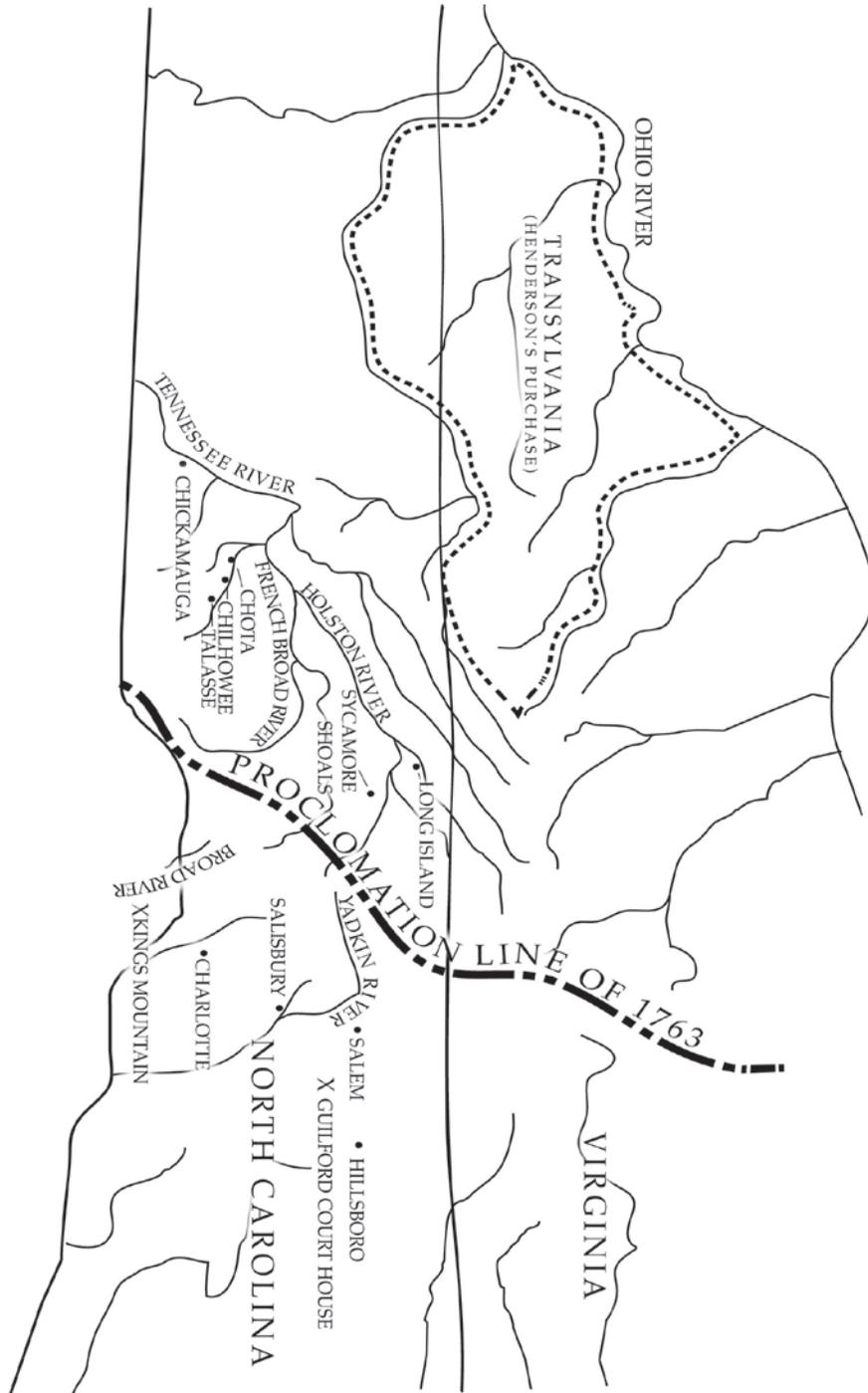
²⁶ “A Journal of the Proceedings of the House of Delegates or Representatives of the Colony of Transylvania,” *Colonial Records IX*: 1268-1269, 1272.

²⁷ “A Journal of the Proceedings of the House of Delegates or Representatives of the Colony of Transylvania,” *Colonial Records IX*: 1268, 1277.

followed pushed Indian lands back further west. When the state government took control of western lands after the Revolution many of Henderson's closest allies obtained fairly high positions in the region. Joseph Martin, who himself had been connected to land speculation with Henderson, had been given the post of Indian Agent for North Carolina and Virginia. Martin's headquarters were located on Long Island in the Holston River, a location that also served as the trading post he was operating in the region. The biggest problem Henderson had was that even when the war ended the State Government of North Carolina was unsure as to the legality of his land purchase, even under their laws. The North Carolina Assembly looked into the case, as did the courts. Henderson's purchase was validated and he was granted, not just the 27,000 acres of the original purchase from the Cherokee but another 173,000 acres of land located in what is now Kentucky, much of which was not surveyed until the late 1790's.²⁸

The purchase of this land and the organization of Henderson's settlement opened a new frontier that the backcountry could now move towards, just as they had done before. And as had been the case before, it created an opportunity for advancement and the recreation of society now that the previous backcountry that was Rowan and Surry Counties was becoming more established and the social mobility somewhat set. Just as Carl Bridenbaugh described the process through which the backcountry came to resemble the more established eastern seaboard, the line of development moved further west to begin the process anew.

²⁸ By this time Henderson was also involved in another land purchase at Muscle Shoals, which was funded by wealthy easterners including William Blount. Abernathy, *Western Lands and the American Revolution*, 190, 220; Ramsey, *Annals of Tennessee*, 276; A.P. Whitaker, "The Muscle Shoals Speculation, 1783-1789." *The Mississippi Valley Historical Review* Volume 13, No. 3 (December 1926), 365, 369.



Map 3: North Carolina including what is now Tennessee and Kentucky circa 1780s.
 Courtesy of Candice Poole and Susan Macleod

The Frontier and Citizenship

The attempt of land speculators in trying to establish a government separate of both Crown and later state authority raised eyebrows throughout society, and having individuals such as Henderson owning such vast amounts of land would be intimidating to the power of even the wealthiest landed aristocracy in the east. As the political culture of the states developed, keeping control of western lands became a central concern for state governments. Western lands were becoming more populated and organized debates arose as to how these lands and people that were not part of the original thirteen colonies would fit into the new government. Borders were still not clearly defined; settlers in the Kentucky settlements, which bordered Virginia, hailed from North Carolina; individuals traveled south from Virginia into Tennessee, or even further into Georgia. With no strong federal authority who did they answer to? At the same time holding onto western lands became an issue of state power. Problems regulating western land claims created jurisdictional uncertainties for all of those involved. All of this uncertainty also created concern as to where backcountry and frontier inhabitants would fit into the new governments.

When state elections began in North Carolina immediately following the Revolution votes from the backcountry were not trusted by eastern elites. According to Jeffrey Crow this skepticism was partly due to the fact that the backcountry was so divided in the war, and known for being a haven to loyalists. How could individuals from such a region be trusted to play an active role in government now? When

backcountry farmers were turned away from voting in one particular state election, a riot almost ensued until the “back people went away” before any violence broke out.²⁹

This issue was not uncommon throughout the new states. In his work *Virginia's Western Visions* L. Scott Philyaw discusses how some eastern leaders in Virginia debated not granting full citizenship to westerners. The west was seen as detached from the colonies and therefore could not be trusted. Settlers were moving into the west faster than congressional authority could keep up with them. The distances that these individuals were from their seats of government only exacerbated the general lack of congressional and state authority in the west. Also, since they were not part of the Original American colonies, could these “semi-savage” settlers truly be considered part of the American ideals that led to the Revolution? To many, the settlement of the west presented a risk of anarchy and could even eventually lead to the downfall of the Republic.³⁰

Peter Onuf has argued that when citizens began to focus more on private pursuits rather than focus on the greater good, a republic could decline. More recently Robert Calhoun has argued that a central aspect of Whig ideology throughout the revolutionary period was the establishment of what Calhoun called “ordered liberty,” with a particular emphasis on the idea that a republic would be made up of individuals who were still mutually connected. With the dynamic nature of the frontier, there was a real threat that “ordered liberty” could possibly get out of control and the republic could outgrow its own

²⁹ Crow, “Liberty Men and Loyalist,” 176; Morgan, *The Birth of the Republic: 1763-1789*, 139-140.

³⁰ Crow, “Liberty Men and Loyalist,” 128; Onuf, “Liberty, Development, and Union: Visions of the West in the 1780's,” 179-184; Philyaw, *Virginia's Western Visions*, 112;.

bounds. Former Regulator leader Hermon Husband saw ominous signs in the chaos that prevailed regarding the western lands. Husband was concerned that western lands would become too vast to govern. Husband foresaw that as states grew into the west they would “always split and divide” to keep the seat of government close to home, a stand similar to the ideologies that Husband used to spur on the Regulator movement. If individuals were not allowed to form their own government, Husband predicted that settlers would be forced into a rebellion against the leadership in order to establish local power. This issue was prevalent in the minds of others as well since the Constitution of North Carolina, drafted in 1776, and the Northwest Ordinance of 1784 included provisions for forming governments in the western territories.³¹

Not only did states want to maintain political control over western inhabitants, but over the control of who would profit from the sale of these lands. In 1783 North Carolina placed a majority of the western lands the state claimed on the market for £10 an acre. The low price caused settlement in the area to explode. The state did not have any logistical means in place to control the settlement or those that were settling and all of the profit was going to the speculators themselves. In order to reign back in control the state repealed this decision on seven months have it had initially passed.³²

³¹ Calhoun, *Political Moderation in America's First Two Centuries*, 149-150; Herman Husband, “Proposals to Amend and Perfect the Policy of the Government of the United States of America Or The Fulfilling of the Prophecies in the Latter Days Commenced y the Independence of America.” 1782. Historical Society of Pennsylvania Library and Archives Division, 13; Onuf, “Liberty, Development, and Union: Visions of the West in the 1780’s,” 179-184; Louise Irby Trenhome, *The Ratification of the Federal Constitution in North Carolina* (New York: AMS Press, Inc., 1967), 56.

³² Abernathy, *Western Lands and the American Revolution*, 261.

Profit from land sales was not the only economic concern that state had. States were also concerned over the markets and natural resources that western lands would provide. If settlement was too unorganized and too rapid, then the markets they would create and the transportation to and from those markets would not be fully in place for the economic advantages or the profits from land sales to be fully exploited. In order for the nation as a whole to benefit from the western settlements, and those settlements to remain part of the national vision, they had to be settled and governed in a controlled manner.³³

The Separatists' Problems

As land speculators in Tennessee began to fear that their claims were not being fully supported by the state government, some went so far as to step out on their own and form an entirely new state as means of securing power at the local level. Much like the American Revolution, the traditional explanation of the "State of Franklin," as it came to be known, has been to utilize the romantic ideology that the frontiersmen were freedom loving, rugged individuals and declaring independence from a distant government was a natural part of their character. Historians have shown; however, that in the widespread separatist movements in the west the goal of such movements was to take control of lands from the states that had originally claimed them to create a new government.³⁴ Like the

³³ Peter Onuf goes on to argue that for policy makers that had no interest in the physical development of western lands, a developing economic frontier became the central focus of their republican ideology. Onuf, "Liberty, Development, and Union: Visions of the West in the 1780s," 194.

³⁴ Separatist movements and other challenges to state jurisdictions were also occurring in Vermont and the Wyoming Valley. Onuf, "Liberty, Development, and Union: Visions of the West in the 1780s," 186; Onuf, "Toward Federalism: Virginia, Congress, and the Western Lands," *The William and Mary Quarterly* Vol.

origins of the Revolution in the backcountry the push to form a separate state had its origins not in romantic mythology but in an attempt to centralize power at the local level.

Historian Kristofer Ray has argued that the Franklin Separatist movement originated out of concern that neither the State of North Carolina, nor the Confederation Congress had the power to maintain land titles so far away, and that the Congress and the General Assembly “had abandoned them to the Cherokee.” When Cherokee Indians in the upper towns complained to the North Carolina government, the governor of the State tried to force the settlers to follow the treaties with the Cherokee and stay off of their land. On top of that North Carolina made the western territories available for sale in 1783, they failed to recognize the fact that some of this land was already inhabited by white squatters. Since the claim that the Native Americans had on the land had never ended, North Carolina began pushing for a treaty to be made with the Indians to satisfy them. Once again unruly settlers saw a government taking the Indians side over theirs, increasing tensions in the region.³⁵

In the summer of 1784 North Carolina began the process of turning over western lands to the Continental Congress. This land cession was not completed by this move; however, because Congress would have a year to reject the land or accept it. Many settlers and speculators in the region felt that this action immediately put them under the

34 No. 3 (July 1977), 354; Williams, Samuel Cole. *History of the Lost State of Franklin* (Johnson City, TN: Overmountain Press, 1993, originally published in 1924).

³⁵ The treaty with the Indians never came to fruition at this time. Once North Carolina began to negotiate turning over the western lands to the Continental Congress the idea was dropped. Abernathy, *Western Lands and the American Revolution*, 290; Ray, *Middle Tennessee*, 9; Calloway, *The American Revolution in Indian Country*, 205, 208.

jurisdiction of the Continental Congress and the Northwest Ordinance of 1784, which provided for the creation of new states, which were then responsible for forming their own government. Immediately after North Carolina gave up control to Congress inhabitants of the Holston Settlements held a convention which met in August of 1784. The purpose of the convention was to create their own government that would be controlled by the local elites, and not the elites of eastern North Carolina.³⁶

The cession of western lands to the federal government was opposed by prominent radical leaders in North Carolina. The radicals were numerous in the backcountry and were made up largely of small farmers and artisans. Quite often they were poor, and more often they were in debt. Western lands wear a place to build a new society, or profit from the sale of those lands. Eastern elites, that held the most power in North Carolina supported ceding the land over to the Federal government. For one it would ease their burden of governing land so far away, especially with settlers so often in trouble with local Indian tribes and they would be rid of dealing with the “fugitives from justice” that had settled the region. The act to cede the land included stipulations that the land granted to Revolutionary War veterans be protected in this act and the sale of future lands should profit only the common good of all states, and not pad the pockets of the

³⁶ For more on the importance of western lands and state power see, Abernathy, *Western Lands Western Lands and the American Revolution*, 172, 290; “Eighth General Assembly April 19, 1784,” Barnes, *Work in Progress*, 19-20. The purpose of the Northwest Ordinance was to provide a structured way to break up and sell western lands in order to regulate surveys and prevent future boundary disputes. New states would be responsible for forming their own Constitution, abide by the Articles of Confederation. Philyaw, *Virginia’s Western Visions*, 98-100, 112.

Federal Government. The final stipulation was that if Congress did not accept the land within 12 months of receiving the act then the land was returned to North Carolina.³⁷

The Cession Act arrived the day Congress was to adjourn, so no vote was taken on it. While it sat waiting North Carolina's representative in Congress Hugh Williamson studied the act and soon became opposed to it because the provisions did not protect that state sovereignty enough. At his suggestion the State leaders repealed the act before it was ever voted on.³⁸

The repeal of the Cession Act came too late for the western inhabitants who were already celebrating the idea of cession. They were especially excited about the provision in the act that allowed for the creation of one or two states out of the territory and the idea of self government was already planted in the minds of many of the settlers. If state leaders who repealed the act did not like the idea of giving up power over western lands to Federal authority, they certainly did not warm to the idea of handing it over to the land speculators on the frontier. If a new state was formed, then the valuable revenue that western land sales created went to the newly formed state, not North Carolina. These separatists moved quickly and opened their own land office and began to speculate all the land between the French Broad and Tennessee Rivers, which was still Cherokee land by this time.³⁹

³⁷ Lelfer and Newsome, *North Carolina*, 240, 258-259.

³⁸ *Ibid*, 259.

³⁹ Calloway, *The American Revolution in Indian Country*, 204; These radical leaders would later be those identified as Anti-Federalist. Gilpatrick, *Jeffersonian Democracy in North Carolina, 1789-1816*, 28; Lelfer and Newsome, *North Carolina*, 259; Ray, *Middle Tennessee*, 9; Trenholme, *The Ratification of the Federal Constitution in North Carolina*, 56.

The Franklinites, as they came to be known, resisted being drawn back into North Carolina's authority, and established a government with John Sevier at its head as governor of the State of Franklin. The government system of Franklin only lasted four years and was so basic that no system of currency was established and John Sevier and other officials were paid in tobacco, whiskey and furs as payment of their salaries. Other prominent inhabitants such as Joseph Martin would also play a key role in the leadership of the State of Franklin's separatist movement.⁴⁰

The first step that North Carolina leaders used to regain control of the contested area was a propaganda campaign that painted the separatists as greedy anarchists. The propaganda caused such tension that both sides began to raise militias in the region and fight one another. One inhabitant wrote that "Politics in the part of the country run high." The climax of the struggle came in 1788 when North Carolina Sheriff John Pugh seized some of John Sevier's slaves as part of a judgment against him. Sevier, argued that the Sheriff had no jurisdiction in his state, and called out the militia to take back his slaves. He was defeated and became a fugitive from justice. The defeat of Sevier marked the beginning of the end for the separatist movement in the region.⁴¹

Despite the military defeat of Sevier, rumblings of separatists' sentiment would continue through as late as 1789. North Carolina was finally able to regain control

⁴⁰ Virginia also had problems with separatist in territory that the state claimed in Kentucky. This group, led by Colonel Arthur Campbell was not as large, or as successful as the Franklinites. Thomas P. Abernathy, ed. "Journal of the First Kentucky Convention, December 27, 1784-January 5, 1785," *The Journal of Southern History* Volume I, No. 1 (February 1935), 67-78; Barnes, *Work in Progress*, 19-20; Ray, *Middle Tennessee*, 9.

⁴¹ Ray, *Middle Tennessee*, 9.

through such measures as appointing many of the key players in the secessionist movement to prominent positions in the west. By promoting individuals such as John Sevier and Joseph Martin to these positions, not only did the state calm the secessionist goals, but it also further solidified the government's land claims in the west.⁴²

Meanwhile the dispute over western lands took on a national tone. States that did not have western lands felt threatened by those that did, and feared that the states that did have lands operated beyond the powers of the Articles of Confederation and would have economic and political advantage over all other states. Boston was particularly angered by North Carolina's reneging on handing over their western lands to the Federal government. Frustrated officials from Massachusetts described the people of North Carolina as being "outlaws and convicts who had been driven from the more civilized parts of the world."⁴³

Native Americans and Anti-Federalism

Historian Greg O'Brien has noted that the gap between the end of the Revolutionary War and the ratification of the Federal Constitution marked a pivotal

⁴² John Sevier would continue on the course of secession even with the state appointment. Joseph Martin would completely change his focus and begin to campaign against the secession movement. Thomas Abernathy has suggested that Martin was also influenced by his close association with members of the Virginia government, namely Patrick Henry, *Western Lands and the American Revolution*, 294; Ray, *Middle Tennessee*, 9.

⁴³ Morgan, *The Birth of the Republic: 1763-89*, 108; Trenholme, *The Ratification of the Federal Constitution in North Carolina*, 196.

moment for Native Americans east of the Mississippi river. Prior to this dramatic transition, tribes of the southern frontier still lived “according to centuries-old notions of proper behavior;” however, the war had changed much of that, especially for the Cherokee, a people that had become divided by the time the war was over. In an effort to adapt to a changing world, many of the traditions within the Cherokee’s centuries old system of governance were abandoned, and by 1785 much of tribal control was handed over to the newly formed United States.⁴⁴

The overthrow of British authority and the beginning of State authority had a devastating effect on the Cherokee Indians, and other native inhabitants in the American colonies. By the time America had proclaimed independence, the Cherokee had already lost 50,000 square miles of territory that they; and other tribes used mostly for hunting. More devastating than that was the loss of 8,000 more miles of territory to the states in 1777, including some of the most important Cherokee towns. The effects of this long string of defeats were disastrous for Cherokee culture due to military defeats and a divide in the nation weakened any resistance that the Cherokee could use as force or political clout. As William G. McLoughlin has argued as cultural cohesion and order disintegrated the Cherokee, “Lost their ability to sustain the proper relationship between

⁴⁴ For more information on the Choctaw’s resistance to transformation see Greg O’Brien, “The Conqueror Meets the Unconquered: Negotiating Cultural Boundaries on the Post Revolutionary Southern Frontier,” *The Journal of Southern History* Volume 76 No. 1 (February 2001), 41. See also, White, *The Middle Ground*, IX-X.

themselves and their environment. The world of spirits that protected them did not respond to their prayers, rituals, and ceremonies as it had in earlier times.”⁴⁵

The end of the war did not improve the situation for the Cherokee at all, as it ushered in a new wave of land speculation. When the peace treaty was signed between the British and their former American Colonies, there were no concessions made for the Native Americans who had fought with the British, and had in fact been their most powerful ally in the south. For the Cherokee and the white inhabitants of the backcountry the war was far from over. The end of the war with the British allowed local militias and frontiersmen to focus solely on their most hated enemy. With no British support the Cherokee were forced to fight or negotiate with land hungry state governments for cultural survival.⁴⁶

Relations between the new governments were difficult to establish for a variety of reasons. One was that the Continental government had limited authority in the region. With North Carolina and other southern states refusing to give up their western lands, the national government could not establish a single Indian policy. These individual states had raised their own armies to fight the Native Americans, and to enforce state policies in Indian country. In some cases made their own treaties with various tribes, further

⁴⁵Robert S. Cotterill, *The Southern Indians: The Story of the Civilized Tribes* (Norman: University of Oklahoma Press, 1974), 35, 43; Jones, *License for Empire: Colonialism by Treaty in Early America*, 134; McLoughlin, *Cherokee Renascence in the New Republic*, 3, 19.

⁴⁶ McLoughlin, *Cherokee Renascence in the New Republic*, 21; As previously mentioned in this chapter North Carolina was especially problematic since the State was using Indian lands to pay off debts to Revolutionary war veterans. The result was the end of the American Revolution caused what Colin Calloway had referred to as a “land rush” which was taking place throughout Indian Country along the eastern seaboard. See, Calloway, *The American Revolution in Indian Country*, 208. 272-291; Hoig, *The Cherokee and their Chiefs*, 57.

complicating the matter. For states to hand that control over to the new federal government would also mean giving up the authority that they had achieved through victory.⁴⁷

Cultural misunderstandings on both the white and Cherokee sides also, impeded the development of successful Indian policies. After the surrender at Yorktown and the Peace of Paris that officially ended the war, the Americans were victorious over Britain and her allies. By European cultural traditions that guided the Americans, victory meant that they were given power to treat the British and allies as “conquered” people, including all major Native American groups in the south. The problem that this attitude created was that the Native Americans were not at Yorktown or Paris, and in their cultural definitions, no such peace had been made. As historians Greg O’Brien and Francis Paul Prucha have pointed out, the southern tribes simply did not know they were “conquered peoples.”⁴⁸

Tensions were extremely high in Cherokee Country as those who were trying to work under the Treaty of Long Island signed in 1777 were struggling with few provisions, little supplies to get provisions, and feared venturing too far from their towns to hunt, which would risk encountering white hunters and speculators. By the 1780’s settlers led partly by Richard Henderson were pushing further south against more Indian

⁴⁷ Hoig, *The Cherokee and Their Chiefs*, 57; O’Brien, “The Conqueror Meets the Unconquered,” 46-47.

⁴⁸ Greg O’Brien argues that it was this cultural misunderstanding had a profound impact on Indian relations with the United States government at a very crucial period in the history of the two cultures. In his study he illustrates how the Choctaw Indians failed to accept the status of conquered peoples and tried to negotiate with the Americans on their own cultural standards, which American negotiators failed to recognize or understand. “The Conqueror Meets the Unconquered,” 46. See also, White, *The Middle Ground*, X.

lands into the Cumberland Basin region of Tennessee, making Cherokee encounters with white settlers more common. Hostilities that the treaty of 1777 failed to halt resumed at a large scale in 1780. These run-ins often turned violent in such a heated atmosphere, which was exacerbated by the fighting of the Lower Cherokee led by young radicalized leaders such as Dragging Canoe. Even though the Upper Towns were largely separate from the radicalized leadership, land hungry settlers and hunters could hardly be expected to tell the difference.⁴⁹

In the upper Cherokee Country the “Friendly” chiefs tried to work with the new state government of North Carolina, but learned very quickly that the state government was weak and extended little authority into the region. Cherokee leaders complained to North Carolina governor Alexander Martin, who in turn ordered John Sevier to keep squatters out of Cherokee land. This made Martin very unpopular among the western inhabitants. While traveling through the region in the winter of 1783 and 1784, Moravian missionary Martin Schneider was met with hostility as suspicious squatters believed him to be a representative of the State government and would try and give their land back to the Cherokee. Schneider noted that these squatters “would like to wipe out the Indians, and take their land for themselves; they hardly consider them as human beings.”⁵⁰

⁴⁹ Calloway, *The American Revolution in Indian Country*, 206; Jones, *License for Empire: Colonialism by Treaty in Early America*, 134; Kristofer Ray, “Land Speculation and Popular Democracy, and Political Transformation on the Tennessee Frontier, 1780-1800,” *Tennessee Historical Quarterly* Volume LXI No. 2 (Fall 2002), 161.

⁵⁰ The original intent of Schneider’s journey was to accompany Martin Armstrong who was on his way to represent the State at a proposed Indian treaty. Armstrong was not able to join Schneider and provided the Moravian with a pass to take him through the region. “Journey of Br. Martin Schneider from Salem to Long Island on Holston River, and from the Tennessee River; from the middle of December, 1783, to January 24, 1784,” *ROM*: V:1976, 1979-1980; Calloway, *The American Revolution in Indian Country*, 205.

The other alternative for the Cherokee was to appeal to the continental government which had little legal jurisdiction in North Carolina, or any other state for that matter. Because of jurisdictional issues, the only area over which the American government had any level of authority was in the region north of the Ohio River since that territory was not organized under any state authority. These measures and Governor Martin's request to halt the settlers proved to be about as effective as the original proclamation line at keeping out settlers.⁵¹

The provincial governments of the new frontier organized in either the State of Franklin or just under the leadership of land speculators proved no better to work with than state governments. Frustrated Cherokee gave up on negotiating with state governments and began negotiating directly with settlers. A plan that could turn violent, and often proved futile. In late 1783 a group of nine Cherokee Indians went directly to John Sevier to complain about settlers hunting on their lands. In dealing with the Indians Sevier utilized a novel negotiating tactic, he pretended that he could not understand them. The furious Cherokee warned Sevier that in the spring "they would find the scalps of the whites," and aborted their attempts at negotiating with Sevier and left. Also, in 1783 the North Carolina legislature redrew boundary lines that were established originally in the 1760's between the state and the Cherokee nation. This redrawing withdrew all claims to land that were in the state and left only the land that was between the French Broad and Tennessee rivers.⁵²

⁵¹ Calloway, *The American Revolution in Indian Country*, 208.

⁵² Journey of Br. Martin Schneider from Salem to Long Island on Holston River, and from there farther to the Upper Cherokee Towns of the Tennessee River; from the middle of December, 1783, to January 24,

Failure to work with the state government and incidents such as this pointless attempt at negotiations with John Sevier and other local leaders pushed the Cherokee to focus on negotiations at the national level, even if it meant giving up control to the Federal government. Giving up this control would end the process of trying to negotiate with the various states. Furthermore, historian William McLaughlin has pointed out that to the Cherokee the federal government seemed to have a “generous, even handed view of Indian relations,” which was a breath of fresh air when compared to the white inhabitants of the region.⁵³

Treaty of Hopewell

At the same time the Continental Congress was eager to gain control over issues in the western lands and utilized its power of negotiating with foreign powers as its justification. This process officially began with the Treaty of Hopewell, which was named for the town the meetings were held located on the Keonee River in South Carolina in the winter of 1785-86. The goal of the treaty was to end the violence that had continued since the revolution and in some areas had even escalated. White settlers were forced off of their stolen lands and some became refugees returning to the North Carolina backcountry with tales of violence. The other goal of the treaty was to establish some control over Indian policy and respect the states’ claims over control of their own Indian affairs, the Continental Congress appointed commissioners to negotiate with the Native

1784, *Records of the Moravians V*: 1978; Hoig, *The Cherokee and Their Chiefs*, 57; Jones, *License for Empire: Colonialism by Treaty in Early America*, 144.

⁵³ McLaughlin, *Cherokee Renaissance in the New Republic*, 21-22.

Americans, and at the same time invited the states to appoint their own representatives to the councils to negotiate their state's specific concerns. For the first time Native Americans were not just negotiating with state or local representatives, but with representatives of a stronger central government.⁵⁴

The Treaty of Hopewell marks a major turning point for the Cherokee people as a culture, and for United States Indian policy as a whole. One major concern that the Cherokee had was the return of lands taken from them at the illegal treaty of Sycamore Shoals to Richard Henderson. The Cherokee knew they had a legitimate claim since some state leaders did not support the land purchase; however, enough land speculators and their associates worked in the assembly to protect such land ventures. The white negotiators explained to the Cherokee that nothing could be done about the Sycamore Shoals Treaty (the Henderson Purchase) because too much time had passed and there were already white settlers in the territory and to remove them would be impossible at that point. Corn Tassel argued that the purchase was illegal to begin with. Henderson misunderstood the Cherokee intentions with the treaty, which was to allow the whites to hunt on some of the land, and accused Henderson of forging some of the signatures on the treaty. The white negotiators reminded the defiant Corn Tassel of their military power, and that they had conquered Great Britain. After this veiled threat the negotiators reiterated that even with all that power, they could not remove the white settlers.

⁵⁴ "Diary of the Salem Congregation, May 3, September 24, 1785," *Records of the Moravians*, Vol. V, 2080, 2086; Calloway, *The American Revolution in Indian Country*, 209; Cotterill, *The Southern Indians*, 64-65; The Treaty of Hopewell with the Cherokee was the first of three meetings that included negotiations with the Choctaw and Chickasaw. For more on the Hopewell Treaty with the Choctaw see, O'Brien, "The Conqueror Meets the Unconquered," 39, 46-47.

The treaty set the borders for Cherokee lands where they had existed in 1777. This left the Cherokee with land as far east as the bend in the Tennessee River and returned some land to the Cherokee. The treaty further protected the Cherokee interests by stating that if any white person settled on the land granted to the Cherokee in the treaty would be outside the bounds of the protection of the United States, and subject to whatever punishment the Cherokee saw fit.

The nearly 900 Cherokee at the meeting were desperate for some resolution of such long standing issues and gave into U.S. demands with very little resistance. The treaty put the Federal government in charge of regulating trade with the Cherokee and virtually all other affairs of the tribe. It regulated how crimes committed by and against the Cherokee involving whites were to be handled. It also made the Cherokee an ally to the United States as an imperial power by obligating the Cherokee to inform the government of any actions by other tribes that would disrupt the “peace, trade or interests of the United States.”⁵⁵

The Continental Congress was successful in routing some of the power that the individual states held at the negotiations. For example one of the key figures in the negotiations was North Carolina’s was chosen representative, William Blount. Blount had major land speculation and political interests in the region, which is probably related to the name “Dirt King” that the Cherokee had given him. Blount opposed the Treaty of

⁵⁵ Abernathy, *Western Lands and the American Revolution*, 313; Calloway, *The American Revolution in Indian Country*, 209; Hoig, *The Cherokees and Their Chiefs*, 67; Jones, *License for Empire: Colonialism by Treaty in Early America*, 153; O’Brien, “The Conqueror Meets the Conquered,” 48; McLoughlin, *Cherokee Renascence in the New Republic*, 21; Ray, “Land Speculation and Popular Democracy,” 162; Wagstaff, *The Papers of John Steele Vol. I*, 21; “Treaty with the Cherokee, 1785,” can be found at <http://digital.library.okstate.edu/kappler/vol2/treaties/che0008.htm>.

Hopewell because he feared that the lands already ceded by the Cherokee were not fully protected under the treaty. He was probably more concerned with the land which he held titled to, that was being given back to the Cherokee. Like the Proclamation Line of 1763 had previously done, the Treaty of Hopewell left very disgruntled settlers and land barons outside the bounds of their own government.⁵⁶

The Treaty of Hopewell was seen as a victory to the Cherokee, particularly for their leader Corn Tassel who negotiated the treaty and perhaps renewed faith in himself. For the first time they had a written agreement with a federal government that they hoped would be able to enforce the terms of the treaty. The problem would arise however, when the issue of federal versus state authority clashed over western lands. Despite the treaty, neither Georgia or North Carolina had given up jurisdiction of their western lands to the Continental government at the time the treaty was signed. The treaty was only as strong as state leaders would allow it to be, and there was much animosity toward the agreement from political leaders and land speculators such as William Blount.⁵⁷

The years that followed the American Revolution were not the calm after the storm that many had hoped for. What followed the war was the same sort of restructuring of society that preceded the war. What was occurring was still a Revolution as the political identity of the region slowly shifted and a new political elite struggled to

⁵⁶ Calloway, *The American Revolution in Indian Country*, 209; O'Brien, "The Conqueror Meets the Unconquered," 47-48; Ray, "Land Speculation and Popular Democracy," 163; H.M. Wagstaff, *Papers of John Steele Volume. I* (Raleigh: Edwards and Broughton Printing Company, 1924), 21.

⁵⁷ Hoig, *The Cherokees and their Chiefs*, 67; O'Brien, "The Conqueror meets the Unconquered," 48; McLoughlin, *Cherokee Renaissance in the New Republic*, 21-22.

emerge as the other moved on to become the political elite in infant settlements further west and begin the process anew. To some it must have appeared exciting, to others the signs were ominous that a confederation of states might not be able to survive such challenges and confusion. Against the backdrop, on the tenth anniversary of American Independence Samuel McCorkle warned his parishioners and readers that it was “a matter of doubt whether as a nation, we would ever celebrate another anniversary.”⁵⁸

⁵⁸ McCorkle, “A Sermon for the Anniversary of American Independence,” 24.

CHAPTER V

“THE SPIRIT OF LIBERTY.”

THE RATIFICATION CONTROVERSY AND THE NORTH CAROLINA

BACKCOUNTRY

In the spring of 1788 an anonymous North Carolinian published his observation on the political atmosphere in North Carolina, and in support of the Federal Constitution. The author, identified only as “A North Carolina Citizen,” wrote of the importance on the western territories in the debate over the ratification of the Constitution:

I do not like to speak evil of dignities but I cannot forbear to think that our public affairs are at present in great confusion. There are more proofs of this than the state of our western affairs; I believe that this confusion has arisen partly from ignorance, partly from knavery; but originally from each State’s being so much its own master, and subject to no superior control; it is therefore the interest of every private citizen that our rulers should have one lead: but it is their interest to be head themselves.

The author then argued that individuals who were seeking to profit from land speculation in the western territories would be expected to object to a strong federal government “for no man wants a master.” What the North Carolina Citizen failed to realize was that throughout the debate over ratification, backcountry inhabitants and western land speculators would come to understand that a strong federal government could better

protect their interest and power at the local level, far better than the states had been able to do.¹

The backcountry did not come to this conclusion immediately, in fact there would have to be two conventions in North Carolina in order to see the document ratified. To have such fierce competition within the same nation created anxiety among many in the backcountry and across the state for the overall stability of the government. One onlooker suggested that the people of North Carolina were divided on the issues because they were simply still discovering “the spirit of liberty” and were trying to figure out what to do with it and they were not “prepared for receiving the Constitution.” James Iredell wrote in the winter of 1789 and expressed his concern that if the Constitution was not ratified the state and nation would fall into the hands of the “dreadful evil of universal anarchy.”²

¹ “A North Carolina Citizen on the Federal Constitution, 1788” Julian Parks Boyd, ed. *North Carolina Historical Review* XVI No. 1 (January 1939), 37, 41-42.

² “A North Carolina Citizen on the Federal Constitution, 1788,” Boyd, 38; “James Iredell to John Steele, February 17th, 1789,” Wagstaff, *The Papers of John Steele Vol. I*, 33. Historians have noted that the years of the ratification process created definitive political parties in North Carolina for the first time, in the form of Federalist and Anti-Federalists. Although such labels may not completely define one’s ideology ratification created a very clear divide. In the past some historians have labeled the two groups radicals and conservatives. The radicals being the Anti-Federalists and the Federalists making up the conservative wing, by the ratification debate party labels were being applied to these two groups. For more on this divide see, Saul Cornell, *The Other Founders: Anti-Federalism and the Dissenting Tradition in America, 1788-1828* (Chapel Hill: The University of North Carolina Press, 1999), 19-21; Joanne B. Freeman, *Affairs of Honor: National Politics in the New Republic in the New Republic* (New Haven: Yale University Press, 2002), xix; 8; Gilpatrick, *Jeffersonian Democracy in North Carolina*, 11-33; J. Edwin Hendricks, “Gideon Edwards, Surry County, and the Ratification of the Federal Constitution in North Carolina,” paper presented to the Surry County Historical Association, Mt. Airy, North Carolina November 1987, 8-9; William C. Pool, “An Economic Interpretation of the Ratification of the Federal Constitution in North Carolina, Part I: The Hillsborough Convention-Background and Economic Interests of the Anti-Federalists,” *The North Carolina Historical Review*, XXVII, No. 2 (April 1950), 121.

According to historian, Edmund Morgan anyone who had any concern for national welfare were convinced by 1787 that the state governments were not an effective form of government. Many supporters of the Federal Constitution felt a sense of urgency in reforming the federal system before the national government dissolved Rowan County minister Samuel McCorkle was also concerned about the direction the country was taking and warned of impending doom as the weakness of the confederation of states was quickly being revealed.

Not everyone shared the concern of McCorkle and other Federalists. To many political leaders in the backcountry the federal government was initially seen as a threat to their power within the region they had worked so hard to establish; however, through the ratification debates those who wanted to maintain power at the local level soon realized what a federal government could do for their betterment, rather than their detriment, which they had experienced under colonial rule.

What would turn them in favor of the Constitution was the economic stability that the federal government could provide as far as land claims and currency. The federal government could also provide support with the growing problems with the Cherokees, that the state could not. In shifting to Federalism they would strike the balance of how federal power could support their private interests. As Samuel McCorkle reminded his congregation, “A nation furnished the bold Columbus with that fleet with which he discovered the western world.” This chapter will trace the very rapid transition from anti-

federalism to federalism and the role that the backcountry and western land interests played in bringing a reluctant state into the Union.³

The Hillsborough Convention

The ratification convention for the Federal Constitution in North Carolina was held on July 21, 1788 in Hillsborough. Each county was represented by five delegates, and six towns, including Salisbury, were considered large enough to be represented by one delegate. Any free male who paid public taxes was able to vote for representation, but to be eligible to be a delegate you had to be a freeholder.⁴

The delegates at the convention were made up of those who had worked to establish themselves in power beginning with the Regulation through the War for Independence. For example two of the delegates from Surry had extensive political experience in the region, Joseph Winston and Charles McAnnally. Joseph Winston originally moved into the region in 1760s looking for a new start after a failed land speculation venture in Virginia. He was successful in advancing his status in backcountry society through military service, which began with the French and Indian War. Winston was a key player in local politics and served in the early assemblies that

³ Morgan, *The Birth of the Republic: 1763-89*, 126-127; For more on the fears of anarchy that were prevalent in the early federal period see Joanne B. Freeman, *Affairs of Honor*, xvii; McCorkle, "A Sermon for the Anniversary of American Independence," 13-16. Much of the concern that at the national level was in regards to a financial collapse, rather than a social one. For more on these concerns see Woody Holton, "Did Democracy Cause the Recession That Led to the Constitution?" 443-445.

⁴ "Salem Diary, March 29 1788," *Records of the Moravians* V:2218; Pool, "An Economic Interpretation of the Ratification of The Federal Constitution in North Carolina," 122.

formed the Revolutionary government. As a military leader Winston was actively involved in local militia campaigns against the Tories and the Cherokee. He represented Surry County at the Treaty of the Holston in 1777 that was intended to end that conflict. In 1774 Winston owned 2 slaves; by 1785 he owned over 2050 acres of land and 18 slaves. Winston also owned western lands, whether he intended to move, or saw them as an investment is not known. Winston had certainly reaped the benefits of upward mobility that the backcountry provided.⁵

Charles McAnnally's public service went as far back as the Regulation. He served as one of the first Justices on the Peace in Surry County and it was he who suggested that the oath of office to the Justices of the Peace in the county make no mention to an oath to the King. By 1785 McAnnally had amassed an estate of 1,453 acres of land and in 1790 he owned 5 slaves. This is a large land holding for Surry County and a comparably large slave holding for the region.⁶

The convention at Hillsboro was made up of 267 delegates; 184 of this group were Federalists. The convention debated for eleven days, but with such a strong

⁵ Byrd, Luther N. ed. *List of Property and Taxable Property in Surry County for 1785: Transcribes from the Original List* (Westfield, NC: Privately Published, 1947), 5; Byrd, *Tax Lists for Surry County, North Carolina for the Year 1774 with a Partial List for 1775*, 3. Byrd's transcriptions are housed at the North Carolina State Archives in Raleigh, North Carolina. Hendricks, "Joseph Winston: North Carolina Jeffersonian," 284, 287; Katherine Keogh White, *The King's Mountain Men: The Story of the Battle with Sketches of the American Soldiers Who Took Part* (Baltimore: Genealogical Publishing Company, 1966), 235.

⁶ "November Court 1772" *Surry County Will Book I*, 12, Housed at the Register of Deeds Office, Dobson, North Carolina; "1785 Tax List," Byrd, 5. Not all representatives from Surry County had such large landholdings. One example of this was James Gaines who had a modest land holding of 250 acres and 3 slaves at the time of the ratification. For an economic profile on all of the representatives see William Pool, "An Economic Interpretation of the Ratification of the Constitution in North Carolina, Part II: The Hillsboro Convention-Economic Interests of the Anti-Federalists," *The North Carolina Historical Review* XXCII, No. 3 (July 1950), 310.

majority the point of debate was probably moot and the convention voted overwhelmingly against ratification. The Federalists at the convention dominated the time spent arguing their point, which was not for a complete loss, since the vote against ratification was not final. The Hillsborough Convention voted against ratification at that time, but the Constitution was not rejected. Concerns of the Anti-Federalist included the addition of the Bill of Rights to protect individuals from the powerful federal government. With these changes in mind the door was left open for another convention in the future, but the vote not to ratify, nor reject the Constitution shows how contested the state was on the issue.⁷

The fall before the convention, Anti-Federalist Joseph Winston sent word throughout Surry County of a meeting he had scheduled to discuss the Federal Constitution. The Moravians of Salem sent two representatives from their town to observe the meeting to “learn the opinion of the people.” The Moravian observers concluded that “nearly all were in favor of it.” In light of this, the victory of the Anti-Federalists may have been a shock to some in the backcountry and perhaps the voting delegates at Hillsboro did not fully represent the views of their constituents. It is difficult to say what the vote says about the thoughts from the backcountry in regards to the Constitution. The one journal entry of the Moravians suggesting that “nearly all were in favor of it” is the only document that even hints at the thoughts of Surry County residents

⁷ “Twelfth General Assembly, November 19, 1787,” Barnes, *Work in Progress*, 28; Brawley, *The Rowan Story, 1753-1953*, 88-89; John C. Cavanagh, *Decision at Fayetteville: The North Carolina Ratification Convention and General Assembly of 1789* (Raleigh: Division of Archives and History, 1989), 2; Powell, *North Carolina through Four Centuries*, 225.

about the upcoming convention. Despite what the Moravians noted all five delegates chosen to represent Surry County for the Hillsboro Convention were known Anti-Federalists.⁸

The delegates from Rowan County were also a majority Anti-Federalists; however, the town of Salisbury elected to send John Steele, a Federalist. The divide between Salisbury and the rest of Rowan County provides a good case study that is personified by John Steele and Mathew Locke an Anti-Federalist delegate of Rowan County. Both of these men had long standing political careers both before and after ratification of the Constitution.

Mathew Locke had been involved in the regions political culture going back as far as the Regulator troubles of 1766-1771. He had served in numerous local offices, and represented the backcountry elite that was able to take advantage of the social mobility of the region. During the War of Independence, Locke was an extremely busy individual. He achieved the rank of a Brigadier General, served as a member of the Provincial Congress, and helped write the State Constitution in 1776. After the war he served in the House of Commons and the State Senate. Locke had obtained premium tracts of land in Rowan County, and also held 5,000 acres of land in Tennessee. Participation in local

⁸; Minutes of the Salem Boards, October 27 and 30, *Records of the Moravians* V:2190; Historian J. Edwin Hendricks has suggested that the lack of records leading up to the Hillsboro Convention is partly due to the fact that the delegates operated in secrecy, and did not discuss the Constitution, so prior to the publicizing of the document in September 1787, there was little to discuss. The five delegates from Surry County were Absolom Bostwick, Mathew Brooks, James Gaines, Charles McAnnaly, and Joseph Winston were known Anti-Federalist. Of these individuals only Joseph Winston and Charles McAnnaly had extensive political experience prior to this appointment. Hendricks, "Gideon Edwards," 1, 12, 14, 18, 20-22.

politics had profited Locke extremely well and focused his political ideology towards localism, which drove his Anti-federalist stance.⁹

Since the Regulator movement the backcountry elite had worked hard to establish themselves into a position of power in the region. Keeping the republic small was important to the Anti-Federalists, such as Mathew Locke's ideals of government and important for local elites to maintain power. Historian Saul Cornell has recently pointed out that elites feared an impersonal and distant government as it would undermine their influence at the local level. This was certainly the case among backcountry Anti-Federalist, who not only feared losing power to a federal government, but also losing power to the counties along the coast which had always controlled state and colonial politics. Since the eastern counties had a greater population anyone chosen to be a representative to Congress would very likely be in the interest in the eastern seaboard counties.¹⁰

Anti-Federalists throughout the state were also concerned over the expenses of a Federal government, and what that would mean to state finances. Keeping revenue at the local level was a major part of Mathew Locke's Anti-Federalist ideology. Locke's economic philosophy was solidly grounded in localism. He argued that Americans

⁹ Pool, "An Economic Interpretation of the Ratification of the Federal Constitution in North Carolina, Part II," 308.

¹⁰ Locke fits the analysis of a typical backcountry farmer who opposed ratification, while those linked to the larger government saw stability in a federal government. See, Lars C. Golumbic, "Who Shall Dictate the Law?: Political Wrangling between "whig" Lawyers and Backcountry Farmers in the Revolutionary Era North Carolina," *The North Carolina Historical Review*, Vol. LXXII, No. 1 (January 1996), 56-82; Brawley, *The Rowan Story, 1753-1953*, 88; Cornell, *The Other Founders*, 63-68; Gilpatrick, *Jeffersonian Democracy in North Carolina*, 26.

should import fewer goods or “frillery,” as he called it, and stated that a “wise planter was fond of home manufacturing.” Locke was concerned that the taxes taken from the backcountry and sent to Congress would be used to fund a “courtly parade” associated with what he felt was the pomp of a large central government. As a merchant, John Steele’s livelihood was based on selling imported goods and “frillery” from abroad. Steele challenged Mathew Locke’s attack on taxation by comparing a federal government without revenue from the states to a poor dependent beggar looking for loans. A government of this nature would have not power or prestige at home or abroad.¹¹

John Steele represented a new era in the formation of political culture in the North Carolina backcountry. He was the son of tavern owner Elizabeth Steele and her second husband William Steele. Steele’s life spanned the Revolutionary period. He was only around 7 years old when the Regulators met in the tavern owned by his family.¹² In his first public office, Steele represented Salisbury in the State Assembly; this appointment was followed by representing Salisbury at the Hillsboro Convention when he was only 24 years old. John Steele was one of the outnumbered Federalists who lost the Hillsboro convention; however, the convention did garner Steele much attention at the state level and allowed him to move from a member of the local elite in Salisbury to statewide notoriety, and eventually national recognition among the Federalists. In the fall of 1788, the state assembly appointed him to serve as a special commissioner to “treat” with the

¹¹ Brawley, *The Rowan Story, 1753-1953*, 85, 88.

¹² “Minutes Regulator Meeting-Rowan County March 7, 1771,” from: William S. Powell, James K. Huhta and Thomas J. Farhan, *The Regulators in North Carolina: A Documentary History: 1759-1776* (Raleigh: State Department of Archives and History, 1971), 357-358

Cherokee and Chickasaws. State leaders from eastern seaboard must have seen something favorable about having a backcountry Federalist for such a position.¹³

During the Hillsboro Convention John Steele specifically argued against backcountry fears of losing power that they had worked so hard to gain at the local level. Steele believed that the state legislature would elect representatives to Congress not counties, but this was little consolation to backcountry inhabitants who already felt underrepresented at the state level. Steele also stressed the system of checks and balances between the legislative branch and the judicial branch which the Constitution provided, because he believed it would keep any of the branches from gaining too much control. He pointed out to his colleagues that no such system of checks and balances currently existed under the confederation government, which made the articles weak, and at the same time dangerous.¹⁴

Federalism also played into John Steele's economic interests, an attack the Anti-Federalist would utilize was that the Constitution did not support the individual but supported commerce. The bulk of Anti-Federalists support came from what Saul Cornell described as the "middling sort who dominated the politics of the middle Atlantic." This group included backcountry farmers and artisans. Many of these "common people" believed that the Federal Constitution was designed to support commerce and not the individual. John Steele was a merchant of considerable means and followed the national trend of merchants and urban areas in support of Federalism. The fact that the eastern

¹³Trenholme, *The Ratification of the Federal Constitution in North Carolina*, 147; Wagstaff, *The Papers of John Steele Vol. I*, xxv-xxvi.

¹⁴Brawley, *The Rowan Story, 1753-1953*, 88.

seaboard and urban areas supported the Federal Constitution shows that areas involved directly with trade supported the Constitution.¹⁵

This trend is also true among the Moravians in the region, who were primarily merchants and artisans, favored a federal government, which might have hurt their popularity with Anti-Federalist neighbors even more. When the Moravians sent members to the meetings to ascertain where the county stood on the issue they were not passive observers; they probably had more at stake in the decision than any other group in the region. They did not record details about the meeting that took place in Surry County prior to the Hillsboro Convention, but did note that they intended to write a letter to Joseph Winston to express their opinion on the issue. Perhaps they feared speaking publicly in a region that had already seen such conflict. They also recorded that after they read extracts of the Constitution they expressed “Special pleasure was voiced over certain points.” What those certain points were was not recorded by the diarist. Moravian support of federalism was due to factors that were connected to their economic trade and status as important merchants in the region. A strong federal government could

¹⁵ “A North Carolina Citizen on the Federal Constitution, 1788,” Boyd, 53; Saul Cornell’s work provides an excellent map that traces the geographic support and opposition, which shows Surry against, and Rowan somewhat divided over the issue. Saul Cornell also notes that there was a group of elite politicians that supported Anti-Federalism, and even though this group was small had considerable influence at the national level. *The Other Founders*, 23, 48; Freeman, *Affairs of Honor*, xix; Gilpatrick, *Jeffersonian Democracy in North Carolina*, 21; Pool, “An Economic Interpretation of the Ratification of The Federal Constitution in North Carolina,” 121, 125, 127, 140. Trenholme, *The Ratification of the Constitution in North Carolina, Part I*, 164-165.

strengthen interstate trade and centralize and secure a form of currency, which had been a chief complaint of the Moravian merchants throughout the revolutionary period.¹⁶

When the votes on ratification were tallied, they mirrored the geographic support noted months before the convention began. In the spring of 1788 the Salem diarist recorded “the upper counties of this state are opposed to the new Constitution of the land; on the contrary the lower counties are in favor of it.” This divide was not geographic but economic. Those directly connected to trade and commerce were in support of ratification, those who were not generally felt threatened or at the very least alienated by a federal government.¹⁷

Changing Political Environment

The year of the failed ratification convention in Hillsborough saw a dramatic political shift in the North Carolina backcountry which illustrates a fluid political atmosphere in the early years of the republic. Since the end of the Revolutionary War, Surry County had been very consistent in their choice of state senators. From 1784 to

¹⁶ Previous historians have noted the transition of merchant’s support of government intervention throughout the Revolutionary period. After opposing British restrictions on trade prior and during the Revolution, merchants had realized that protection and support that a strong federal government could provide could protect their individual interests. Matson and Onuf, “Toward a Republican Empire,” 498; Hendricks, “Gideon Edwards,” 13-14; Salem Diary, August 16, 1788, Minutes of the Salem Boards, October 18, 1788, *Records of the Moravians* V:2223, 2190.

¹⁷ Of the seventeen counties that supported ratification of the Constitution, two were from the backcountry. One was Sumner County in the Cumberland region of Tennessee and Lincoln County which was just southwest of Rowan; however, the bulk of the support came from coastal counties in the very northeast corner of the state. Salem Diary, March 29 1788, *Records of the Moravians* V:2218; Pool, “An Economic Interpretation of the Ratification of The Federal Constitution in North Carolina, Part I,” 121, 125, 127,140; Trenholme, *The Ratification of the Federal Constitution in North Carolina*, 236.

1787 there were five transitions of senators and each time it was either Martin Armstrong or his brother John. The representatives for the House of Commons were very similar with William T. Lewis and James Martin dominating those seats.

The Assembly that was seated at the time of the Hillsboro Convention was made up of green political figures. Joseph Winston, who was a well known figure during the war, but had never represented the county at the state level before served as a state senator. The representatives for the House of Commons were Seth Coffin and James Gains, both of whom appear among Surry county's political elite for the first and last time. The Assembly of 1787 was a failed experiment since those who served were immediately replaced by members of the old guard including John Armstrong returning to his family's long standing spot in the state senate. Perhaps the vote was a reflection of anger or anxiety over the Constitution not having been ratified during the term of the county leadership. Not only did Joseph Winston and James Gaines serve as representatives to the state Congress, but also at the ratification convention where they both voted against the Constitution.¹⁸

Surry County's George Hauser won election in 1788 to the House of Commons and had never served in politics at the state level, but this was the beginning of career that would span through the 1790's. He was a tradesman from Bethania who had been active in the campaigns against the Cherokee and Loyalists during the war. The one thing that he had in common with his cohorts was significant land holdings, particularly his 5,000

¹⁸ Prior to 1784, the state Senator for Surry County had been William Sheppard who had held that position since 1778. Hendricks, "Gideon Edwards," 9, 12, 22, 25-26; Cheney, *North Carolina Government, 1585-1979*, 209-221.

acres in Tennessee. This coupled with his economic ties with the Moravians through his various trades would place him among likely supporters of a Federal government and his election represents a shift in political ideology in Surry County.¹⁹

Before the end of 1788 the North Carolina General Assembly voted to have another ratification convention to be held at Fayetteville the following year. Surry County's new Federalists leadership included; senator, John Armstrong, and the two representatives to the House of Commons, George Hauser and William T. Lewis unanimously supported the vote for a new convention. These three men were elected to represent the county a month after the Hillsboro Convention, and their names were well known in the leadership of Surry County throughout the revolutionary period. While attending the election of these three representatives and the Surry court meeting the Moravian delegates in attendance noted that the mood in the county had changed toward ratification. The Salem diarist wrote that: "It was learned that since the convention in this State did not accept the new Constitution without conditions, many people have changed their minds and most of them now want it altered."²⁰

The region was still not fully unified and the political unrest that marked this period allowed an opportunity for individuals to get involved in county leadership, and not all up and comers were Federalists. The ratification convention marked the beginning of the political career of Gideon Edwards, of Surry County. Edwards was moving up the

¹⁹ Hendricks, "Gideon Edwards," 22-23.

²⁰ Salem Diary, August 16, 1788, *Records of the Moravians* V: 2223; Cavanaugh, *Decision at Fayetteville*, 2; Hendricks, "Gideon Edwards," 23-24.

social ladder just prior to the convention by which time he owned nearly 40 slaves, which was an extremely large amount for the area, half of which he had only purchased a short time before the convention, and about 1,190 acres of land. His first political office was that of Justice of the Peace which he obtained in 1788. The ratification convention was his first service outside the county. Such a significant appointment for a newcomer speaks volumes about the political environment of shifting ideologies; however, Edwards was not a Federalist, J. Edwin Hendricks described him as an “ardent Jeffersonian.”²¹

Whether or not it represents a change in ideology towards ratification or not, would be impossible to tell, since those that make up the shift represent both sides of that debate. It perhaps could be generational shift from the old guard to the new. The demographics of the county were changing and many of the old leaders were moving on to other pursuits or were dead. Robert Lanier who had played such a vital role in the Revolution in Surry County died in the Spring of 1785. Martin Armstrong was no longer as active in politics after shifting his focus to Tennessee land speculating. John Armstrong who had also been prominent in Surry politics since the Revolution ceased to play a role in politics after 1788, as did Joseph Winston. All of these men made up the power elite in Surry County throughout the revolutionary period and seem to fall away in 1788, prior to the Fayetteville Convention.²²

²¹ Hendricks, “Gideon Edwards,” 3-4, 26-27.

²² Bethania Diary, March 5th, 1785, *Records of the Moravians* V:2108; Cheney, *North Carolina Government, 1585-1979*, 209-222; Hendricks, “Gideon Edwards,” 25-26.

Surry County was not the only part of the state to see such a turnover as Federalists gained ground all over the state, particularly in the western counties where they had seen so little support before. William Hooper, who had been one of the three North Carolinians to sign the Declaration of Independence, also noted a shift in the support of ratification in the backcountry. He wrote that the temper of the western counties had “changed completely” and felt sure that ratification would be achieved if the representatives listened to their constituents and not a minority of influential “demagogues” who, out of their own self interests were holding the state back from taking part in the first sessions of the new Congress. Rowan County also experienced such a shift long time representatives Griffith Rutherford and Matthew Locke were replaced by Federalists in the months prior to the second Ratification Convention. Areas of the backcountry and in the frontier regions that had sent Anti-Federalist to the Convention in Hillsboro, elected Federalist assemblymen later that year, including the “State of Franklin” that was still in the process of returning allegiance to North Carolina.²³

The question of course is why such a rapid change in ideology? Following their defeat in Hillsboro the Federalists in the state and the nation as a whole took an aggressive stance towards promoting the idea of Federalism. Two prominent North Carolina Federalists leaders, William R. Davie and James Iredell, took it upon themselves to fund the printing of a transcribed journal from the Hillsboro convention that was

²³ Trenholme, *The Ratification of the Federal Constitution in North Carolina*, 197-198; Wagstaff, *State Rights and Political Parties*, 472.

specifically to be circulated in the backcountry where they had the weakest support. At the same time Federalist published editorials supporting the Constitution in newspapers throughout the state. These editorials not only described the benefits of the Constitution but the dangers of not being in the federal union.²⁴

One issue that may have led to the political shift was simple peer pressure, historian H.M. Wagstaff and other previous historians have suggested that North Carolina ratifying the Constitution represented fear of isolation and not a shift in political ideology. When the federal government was first established North Carolina was not part of it. North Carolinians felt a newfound diminished status as a more powerful form of government was emerging despite their absence. Ardent Anti-Federalist William Lenoir reflected on his role in the debates nearly fifty years after they ended, wrote that it was the fear of being completely cut off from the rest of the colonies that forced North Carolina to choose the lesser of two evils. This fear was prominent on both sides of the debate as federalist supporters pointed out that the state would have to maintain the government at their own expense with no outside support. They would also have to fend off a foreign invasion without the power of the federal government, and at this time Native Americans were looked at as foreign powers, making the threat of foreign

²⁴ Cavanagh, *Decision at Fayetteville*, 11; Hendricks, "Gideon Edwards," 23; Saul Cornell has suggested that perhaps the Federalists were more organized in their campaigning efforts than the Anti-Federalist he cites an example of a Pennsylvania backcountry farmer who wrote that "We are at a great loss here for intelligence." Cornell argues that the Federalist had greater access to news papers and other bits of information through the more powerful contacts in the east. For more on Anti-Federalist propaganda and writings throughout the nation see, Cornell, *The Other Founders: Anti-Federalism and the Dissenting Tradition in America, 1788-1828*, 46; however, in the North Carolina backcountry no evidence suggests that one group does not seem to have such an advantage over the other, although it could be inferred that those he had mercantile contacts such as John Steele would have such an advantage.

invasion very real. In the spring of 1788 Newspapers coming into the region prompted a meeting among the Moravians in Salem. The papers bore the news that Georgia and South Carolina supported the Constitution. Backcountry inhabitants were particularly interested in what Virginia would do since that was the state they felt “North Carolina largely depends.” By the accounts in the backcountry Virginia was beginning to favor the Constitution. The news also came just prior to the election of the delegates that would represent Surry County at the next convention. The Moravians who had never mentioned actually voting for the representatives of the convention in Hillsborough were now determined to see ratification and planned to attend the election and vote “for those members of the convention who have those principles.”²⁵

Western Lands and the Constitution

Another source of Federalists’ support came from individuals populating the Tennessee and Kentucky frontier, and those not living on the frontier; such as John and Martin Armstrong, who owned those lands and were trying to profit from them. As discussed in the previous chapter the frontier was controlled by land speculators with little or no government intervention. In his work Kristofer Ray points out that this

²⁵ “Diary, March 13, 1788, *Records of the Moravians* V: 2217-2218; Boyd, ed., “A North Carolina Citizen on the Federal Constitution, 1788, 39; Hendricks, “Gideon Edwards,” 23; North Carolina was most concerned with New York and Virginia’s decisions since they were states of comparable size and population. North Carolina had also submitted nearly identical amendments as Virginia, and it was widely believed by national leaders that if Virginia ratified, North Carolina would soon follow. Ray, “Land Speculation, Popular Democracy, and Political Transformation on the Tennessee Frontier, 1780-1800,” 164; Trenholme, *The Ratification of the Constitution in North Carolina*, 183-184, 242; Wagstaff, *The Papers of John Steele Vol. I*, xxvi.

“extralegal local government” was inherently weak and unstable. The speculators and surveyors realized that for their work to be long lasting it had to attach itself to something larger than the local government, or even the state governments that they felt largely abandoned by. By 1788 political leaders on the frontier realized that the Federal Government organized by the Constitution could provide security for their social, political, and economic interests.²⁶

Western lands were clearly an issue during the debates over ratification, however, despite the importance of the place the western lands would play in the new republic it does not seem to be a clear determining factor in establishing an individuals’ political affiliation. Federalists and Anti-Federalists alike owned extensive tracts of land in the West. John Gray Blount, from the tidewater county of Beaufort was one of the largest land owners in the state and was granted thousands of acres in what is now Tennessee in by 1788, and would accumulate more as the debate of the Constitution divided the state. Blount was one of the state’s leading Federalists. Mathew Locke, the leading Anti-Federalist of Rowan County owned extensive tracts of land in the west totaling over 5,000 acres, as did Surry’s Anti-Federalist leader Joseph Winston who held 8,000 acres of western lands at the time of his death.²⁷

²⁶ Morgan, *The Birth of the Republic: 1763-1789*, 127; Onuf, “Toward Federalism,” 358; Ray, *Middle Tennessee*, 2-12;

²⁷ Hendricks, “Joseph Winston: North Carolina Jeffersonian,” 286; Pool, “An Economic Interpretation of the Ratification of the Federal Constitution in North Carolina, Part II,” 308; Trenholme, *The Ratification of the Federal Constitution in North Carolina*, 159-160.

As mentioned in the previous chapter North Carolina Anti-federalist Griffith Rutherford had led the opposition to halt returning confiscated lands to their original owners. Rutherford's opposition to the Constitution stemmed from this concern since the peace treaty between England and the United States provided for the return of such lands to those who had been loyal during the war. The weakness of the Continental Congress had allowed states to dodge the issue even though the treaty was nearly four years old. Joining the federal union might bring the issue to a final conclusion that would not be in favor of those who held loyalists lands. It might also tighten restrictions on speculators of western lands.²⁸

Even if restrictions were placed on them, land speculators still figured to see a profit from the ratification of the Constitution. Two such speculators and business associates John Sevier and William Blount had been angered over North Carolina's failure to cede the western lands over the Federal government. Sevier for one was upset over the failure to establish the State of Franklin, with him as governor, after North Carolina forcefully decided that matter. But there was also the economic incentive. If the federal government could strengthen authority in the region, which would in turn encourage more settlers to move there, then speculators such as Blount and Sevier would see their value of their investments increase substantially.²⁹

²⁸ Trenholme, *The Ratification of the Federal Constitution in North Carolina*, 32, 149; Wagstaff, *State Rights and Political Parties in North Carolina, 1776-1861*, 458.

²⁹ Cavanaugh, *Decision at Fayetteville*, 13.

Hugh Williamson, who represented North Carolina at the Constitutional Convention in Philadelphia, wrote to James Madison prior to the meeting at Hillsborough about his concern for western lands and the federal government. He wrote: “For myself, I conceive that my opinions are not biased by private interests but having claims to a considerable quantity of land in the western country, I am fully persuaded that the value of those lands must be increased by an efficient federal government.” Although a supporter of the Constitution, Williamson was opposed to the idea of states having to cede western lands to the Federal government. Williamson viewed a balance of power in which the federal government would have the power to protect his investment in land, but the ultimate control of the territory would remain in the state.³⁰

Historian Peter Onuf argues that one goal of the federal government was to remove power from the local level, and therefore alienate the influence of speculators and surveyors. Onuf also argues that this was at the very heart of the Revolution to begin with. In light of this it might seem contradictory that it would be these very people who would turn to the federal government and risk losing their local interest and power. According to Peter Onuf and Carolyn Matson the later part of the eighteenth century was a time of dramatic ideological change in which individuals began to “reconcile individual rights for the common good” and therefore federalism achieved broad appeal.³¹

Even though it may seem contradictory to modern eyes for someone to work so hard to establish local control and then to hand it over to a distant federal authority, it is

³⁰ Trenholme, *The Ratification of the Federal Constitution in North Carolina*, 75.

³¹ Matson and Onuf, “Toward a Republican Empire,” 496-531.

hardly a contradiction at all. If the interests of the whole can benefit the interests of the individual then the two become part and parcel of one another. As Edmund Morgan has argued, “speculation and republican principles combined to make a national domain.” As Samuel McCorkle pointed out with his Columbus analogy, a nation funded him, but it was his boldness that made the discovery, and his name is attached to the discovery. So to would be the speculators of the new frontier.³²

“Rights of Conquest”

Another factor that drove western settlers into the arms of a federal government was fear of the Native Americans, which a strong central government could better organize protection from. As aggressive land speculators and settlers continued to encroach on Indian territory the situation in Indian country grew more and more volatile and by the fall of 1788 the threat of an all out war was very real. William Blount wrote to John Steele, who by this time was serving in the Continental Congress and reminded Steele that North Carolina held the “Rights of Conquest” when it came to dealing with the Cherokee, and further reminded Steele that the Cherokee had sided with the British during the war and by signing the peace treaty Britain had given up those lands. The problem was that though the state had laws in place that encouraged and benefitted

³² McCorkle, “A Sermon for the Anniversary of American Independence,” 16; Morgan, *The Birth of the Republic: 1763-89*, 113.

settlers, the state could offer little military or economic support to those living on the frontier.³³

After issues regarding Native Americans were handed over to the Continental Congress via the Treaty of Hopewell, the Federal Government attempted to address some of these issues. The first task of the government was to ascertain where the various borders of the separate states and the Native Americans. These agents were instructed that it was important to ere on the side of caution when it came to Indian lands and that no cession of land is to be demanded from the tribes; a fact that could not have made the speculators of the region very happy with the new arrangement. In fear of losing territory William Blount argued that the borders set up in 1783 were sufficient. In this plea Blount illustrated how the lines of federal and state power could be easily blurred depending on the issue. Blount noted that Steele was a Continental Commissioner, but further reminded him that the was a North Carolina citizen and it would be by North Carolina that Steele would be “applauded or censured” depending on the outcome of his work as Indian Commissioner. Blount was trying to emphasize that setting the borders between the Cherokee and the United States had more local than federal consequences.³⁴

³³ William Blount to John Steele, May 5th 1789, Wagstaff, *The Papers of John Steele Vol. I*, 41; Ray, “Land Speculation, Popular Democracy, and Political Transformation on the Tennessee Frontier, 1780-1800,” 161; Ray, *Middle Tennessee: 1775-1825*, 11; Wagstaff, *State Rights and Political Parties in North Carolina*, 472.

³⁴ Instructions to Commissioners for Negotiating Treaty with Southern Indians, October 26, 1787, William Blount to John Steele, January 17th, 1789, William Blount to John Steele, May 5th, 1789, Wagstaff, *The Papers of John Steele Vol. I*, 19, 28-29, 42.

In order to avoid confusion between the tribes and the government, and to make any future treaties more permanently binding the federal government also instructed the Indian agents to accurately determine exactly who the leaders of the tribes were, “the real head men” as John Steele put it. This was no easy task as much of Native American society in the east had become politically and structurally fractured throughout the Revolutionary period. Agents were also instructed to treat warriors with kindness in order to prevent future quarrels and to “attach” them “to the interest of the United States.”³⁵

A federal government would solve the problem of overlapping jurisdictions and interests. In February of 1789 a frustrated John Steele wrote to North Carolina Governor Samuel Johnston that white settlers had been attacking Cherokee villages killing and imprisoning Cherokee. Part of the problem with the attacks is that Steele, the North Carolina Indian Commissioner, and the South Carolina Commissioner could not determine whether or not it was North or South Carolinians that carried out the attacks. Steele wrote that “The ungovernable Spirit of the white people will render it very difficult for the commissioners to effect a peace.” This was not the only difficult situation that Steele found himself in. The North Carolina legislature requested him to obtain an extension of the North Carolina borders further west into the Tennessee territory. This request made by the State was in direct violation of the Continental Congress’

³⁵ “Instructions to Commissioners for Negotiating Treaty with the Southern Indians,” Wagstaff, *The Papers of John Steele Vol. I*, 19-20.

instructions to Indian Commissioners forbidding them from requesting a “single foot of land from the Indians.”³⁶

As no successful steps had been taken to protect the frontier, inhabitants quickly began to lose faith in the state governments and alter their support to a unified federal government. Even if North Carolina did not ratify, individuals on the frontier supported the idea of western lands being ceded to the federal government to be in its jurisdiction. A larger more organized government could provide the protection they needed. Even if that protection was not in physical form, but in the form a treaty with the Indians, which would be more solidly binding if backed by a larger government. To some the situation seemed so desperate that there was a legitimate fear that the frontier regions might seek falling under the jurisdiction of the Spanish government, so long as the Spanish could provide the protection they wanted.³⁷

State legislatures that were not directly involved in western land speculation also feared a conflict with Native Americans, and what that conflict would do to the state budget. Historian, Henson Barnes has illustrated the desperate situation that North Carolina was in by 1788. The eastern seaboard was plagued by pirates, prompting the Assembly to pass an act improve and make navigation safer, and in the west the western counties were becoming embroiled in an Indian war. Aside from personal interests the North Carolina Assembly were hastily pushing for another convention so that North

³⁶ John Steele to Governor Samuel Johnston, February 19, 1789, *The Papers of John Steele Vol. I*, 34-35.

³⁷ Daniel Smith to Governor Johnson, July 24th, 1789, *State Records XXI*: 558-559.

Carolina could become part of the union in order to get the financial and military assistance its frontier was making necessary.³⁸

The federal government faced the same challenges that prompted the British Government to draw the Proclamation Line of 1763: how to deal with unruly settlers in the West. Not only did lack of an effective Indian policy place the individual states in danger, but conflicts could easily spill out beyond state borders and involve all the states in the region. The treaties and agreements that the federal government planned to make were to purchase more land from the Cherokees that would allow settlers to stay in the region. Hugh Williamson wrote to North Carolina Governor Samuel Johnston in the early fall of 1789 of his concerns that future treaties with the Cherokees will be naught if the settlers were not “quieted.”³⁹

The white settlers were not the only ones eager for some conclusion to the issues that faced western lands. The Cherokees themselves were anxious over the results of ratification as they had grown tired of meeting with numerous state leaders with little benefit from it. The Treaty of Hopewell fell far short of its promises to protect Cherokee land. Despite writing in the treaty that the land would be protected, not methods were put in place to do so. Out of desperation the Cherokee went to state leaders for North Carolina and Virginia. In a plea to Virginia’s Patrick Henry the Cherokee’s stated that

³⁸ Thirteenth General Assembly, November 3, 1788, Barnes, *Work in Progress: The North Carolina Legislature*, 30.

³⁹ Hugh Williamson to Governor Johnston, September 5th, 1789, *State Records XXI*: 563-564; David C. Hendrickson, *Peace Pact: The Lost World of the American Founding* (Lawrence: University of Kansas Press, 2003), 213.

very little of their land was left and the settlers wanted more. They went on to argue that if the process was allowed to continue they “would soon be no people.” Their hopes were that a strong federal government would reign in settlers.⁴⁰

The failure of the Treaty of Hopewell to hold off settlers led Dragging Canoe and other Native American leaders to reject the treaty all together. Along with Shawnee and Creek allies he had unified with during the Revolution, Dragging Canoe intensified his campaigns of attacking white settlers throughout the region spreading fear of an all out war as reports of attacks as far west as Kentucky made it as far east as Salem.⁴¹

In the summer of 1789, prior to the second ratification convention in the state John Steele traveled into Cherokee country to negotiate more treaties with the Cherokee. The Cherokee refused to meet with him and his delegation because the state of North Carolina, “were no people, having no head.” This made it clear to anyone with concerns in the west, either political or economic, that in order to be able to work with the Cherokee they would need to ratify the Constitution.⁴²

The Fayetteville Convention

In the fall of 1789 North Carolina held its second Constitutional convention after both Surry and Rowan Counties had experience major political shifts since the Hillsboro

⁴⁰ Calloway, *The American Revolution in Indian Country*, 284.

⁴¹ Minutes of the Salem Boards, November 8, 1786, Salem Diary, January 7, 1787, *Records of the Moravians* V:2145, 2168; McLoughlin, *Cherokee Renascence in the New Republic*, 22-23.

⁴² James Iredell to John Gray Blount, July 1st, 1789, Alice Barnell Keith ed. *The John Gray Blount Papers* (Raleigh: North Carolina State Department of Archives and History, 1952), 490-491.

Convention and state and local leaders, as well as frontiersmen and speculators realized how a federal government could benefit their own interest. Another factor that aided in the shift of support for the Federal Constitution was that there was more representation from the backcountry, especially in Tennessee, where settlers had grown increasingly frustrated with the State government and had tried to throw off the authority during the State of Franklin movement. Tennessee was not fully represented at the Hillsboro Convention but was represented at the Fayetteville Convention (Figures 1 and 2).⁴³

Fig. 1 County Representatives at the Convention at Hillsboro in 1788

<u><i>Rowan County</i></u>	<u><i>Surry County</i></u>	<u><i>Wilkes County</i></u>	<u><i>Salisbury</i></u>
George Henry Barringer James Brannon Thomas Carson Griffith Rutherford Mathew Locke	Absolom Bostick Mathew Brooks James Gaines Charles McAnnally Joseph Winston	Richard Allen John Brown James Fletcher Joseph Herndon William Lenoir	John Steele

Fig. 2. County Representatives at the Convention at Fayetteville in 1789

<u><i>Rowan County</i></u>	<u><i>Surry County</i></u>	<u><i>Wilkes County</i></u>	<u><i>Tennessee County</i></u>	<u><i>Salisbury</i></u>
George Henry Barringer Maxwell Chambers Bazil Gaither Mathew Locke John Stokes	Absolom Bostick Gideon Edwards George Hauser Edward Lovell Joseph Winston	John Brown William Hall Joseph Herndon Benjamin Jones William Lenior	William Blount John Dew Thomas Johnston Benjamin Mauers John Montgomery	John Steele

⁴³ Cheney, *North Carolina, 1585-1979*, 767-770.

Of the 294 representatives at the Fayetteville 120 had served in the previous convention, only 83 of the 120 would vote consistently with the previous convention. As much as the Hillsboro convention seemed to be predisposed for Anti-Federalism, the Fayetteville Convention seemed the same toward ratification.⁴⁴

The debates at Fayetteville were very brief and the details of these debates have been lost to history. The greatest opposition against ratification was from Rockingham County representative who suggested amendments that both limited and clarified the power of the federal government, beyond what was already in place with the Bill of Rights. These amendments were supported by Surry County's Absolom Bostick and Gideon Edwards. Their support however was not enough when on November 21, 1789 the rest of Surry County's delegates, including Joseph Winston who had previously voted against ratification, joined the majority and voted for ratification and brought North Carolina into the Federal Union.⁴⁵

One protest that the Surry delegates did get behind reflects the importance of trade in their political ideology. A protest was introduced to challenge the choice of Raleigh as the state capital. Given the previous problems that the backcountry had launched over the distance of government one would be quick to assume they would be in favor of moving the capital from the seaboard and further into the interior; however, all five of Surry's delegates joined in with this failed minority protests on the grounds that Raleigh was "a place unconnected with commerce," preferring the capital be placed at

⁴⁴ Trenholme, *The Ratification of the Federal Constitution in North Carolina*, 234.

⁴⁵ Hendricks, "Gideon Edwards," 28.

Fayetteville or Hillsborough. They went on to argue that since Raleigh was currently only a small village it was cost the tax payers too much money to build up a city worthy of a state capital.⁴⁶

The farthest western counties from North Carolina were represented by a Federalists majority, which included William Blount representing the county of Tennessee and the newly pardoned John Sevier. Blount and his fellow Tennessee county representatives voted unanimously for the ratification of the Constitution. Interestingly enough, Blount did not live in Tennessee County, but Pitt County located in eastern North Carolina (Map 1), at the time of the Convention. He was also serving Pitt County as a State Senator at the same time. Sullivan County saw the only opposition to the Constitution in the far western counties with two votes cast against it, which only managed to tie their votes.⁴⁷

The Federal Government in Indian Country

In February 1790 the North Carolina Assembly voted to deed their western lands to the United States. This was made into law later that Spring about brought about one of the major changes that the ratification brought to Indian Country and removed the power of the states from Indian treaties and relations. Two months after the ratification John Steele wrote that any treaties made with the Native Americans that were not made by

⁴⁶ Hendricks, "Gideon Edwards," 20; Hendricks, "Joseph Winston: North Carolina Jeffersonian," 291-292.

⁴⁷ Cavanagh, *Decision at Fayetteville*, 13; Trenholme, *The Ratification of the Federal Constitution in North Carolina*, 67-68, 236.

federal authority were a violation of the Constitution. Despite this order North Carolina did not officially give up claims to the lands in the west until 1789. Their reluctance was due to the fact that speculators and state leaders did not want to give up the treaties that they had made with Native Americans, despite shifting towards Federalism just prior to the Hillsboro Convention. North Carolina was not alone in this, Georgia and the “State” of Franklin had all made their own individual treaties and all were generally uncooperative with the Federal Government when it came to their Indian treaties. Colin Calloway has argued that as settlers from the backcountry of North Carolina and Georgia constantly threatened Indian lands, some going so far as to intentionally trying to halt the attempts of federal treaties and their State governments not giving up those claims, the new Federal Government was unable to put into place any kind of lasting Indian policy.⁴⁸

North Carolina finally handed over their western lands to the Federal government, which by this time was supported by a majority in both houses on North Carolina government. On this new frontier and new political culture the most lucrative position was given to William “Dirt King” Blount. Not only was “Dirt King” now over the territory south of the Ohio River, it also placed him over the Indian agency in which he had extensive authority in Indian affairs. After decades of fighting with Native Americans and government authority over control of Indian lands, speculators now had a

⁴⁸ “Committee Report, November 29, 1788,” Wagstaff, *The Papers of John Steele Vol. I*, 21; Georgia would hold on to their western lands until 1802. After North Carolina ceded their western claims to the Federal Government, the territory was organized into the State of Tennessee in 1790. Calloway, *The American Revolution in Indian Country*, 284; McLoughlin, *Cherokee Renascence in the New Republic*, 22; Trenholme, *The Ratification of the Federal Constitution in North Carolina*, 246.

government that would directly support their interest. Land was no longer had to be taken by force, but would be taken by treaty.⁴⁹

The Cherokee found themselves in a desperate situation. Their leader Corn Tassel was murdered by settlers in Tennessee in the summer of 1788 and despite orders that anyone living in Cherokee territory would be deemed illegal and removed encroachments onto Cherokee lands remained commonplace. Settlers were now beginning to push into the heart of Cherokee country around the central town of Chota. Negotiations had largely broken down since North Carolina no longer saw the need to treat with the Cherokee since they were technically no longer at war, and the state did not recognize the Chickamaugas as a tribe but a rogue group of Indians, they did not fit into any treaty.⁵⁰

In 1790 George Washington drafted a proclamation reminding all civil and military officers of the United States to remember and act accordingly to the Treaty of Hopewell. He warned that it was “peculiarly necessary” to remind citizens to not violate these treaties, and if they did so it would be to their “peril.”⁵¹ This measure was still not enough and as early as 1791 another treaty had to be established with the Cherokee and was negotiated by William Blount. Blount’s treaty set out to deal with the issue of

⁴⁹ “Fourteenth General Assembly, November 2, 1789,” Barnes, *Work in Progress: The North Carolina Legislature*, 31; Gilpatrick, *Jeffersonian Democracy in the North Carolina, 1789-1816*, 39; Trenholme, *The Ratification of the Federal Constitution in North Carolina*, 68.

⁵⁰ Calloway, *The American Revolution in Indian Country*, 209; Cotterill, *The Southern Indians*, 79; “Legislative Instructions for John Steele, December 4th 1788,” Wagstaff, *Papers of John Steele, Vol. I*, 23.

⁵¹ “Proclamation of August 26, 1790 Regarding Treaties with the Cherokee, Choctaw and Chickasaw.” *The Avalon Project*, http://avalon.law.yale.edu/18th_century/gwproc13.asp; Morris, *The Forging of the Union: 1781-1789*, 144.

Native American land once and for all, and alter Cherokee culture to suit the desires of the whites for the land. William Blount who worked on the side of those who intruded onto Native Lands, and whose involvement in any such treaty or negotiations was clearly a conflict of interests, and any issue resolved under his control would benefit himself and other land speculators. With the 1791 treaty Blount encouraged the Cherokee to become farmers and herdsmen to limit the amount of land that they needed to hunt. It also reinforced the fact the United States was over regulating the trade and relations of the tribe. In 1794 the Secretary of War Henry Knox would once again be in negotiations and sign yet another treaty that would reinforce aspects of the original treaties due to “some misunderstandings which had arisen.”⁵²

The Federal Government also began to establish a series of trade and intercourse acts beginning in 1790. This series of legislation place more and more power over the Cherokee into the hands of the federal government and out of the hands of the Cherokee themselves. The government soon controlled how Native Americans could acquire land, and how land could be acquired from them. They regulated trade to and from the tribe, and would control basic elements of day to day law and order in regards to crime that involved Cherokee. By regulating trade they sought to control the Cherokee. A Congressional Report made in 1801 stated that not only would such regulation protect the Native Americans from unscrupulous individual traders. A dual purpose was served; however, as it was believed by controlling trade and the traders the Cherokee would see

⁵² McLoughlin, *Cherokee Renascence in the New Republic*, 23-24; Treaty with the Cherokee: 1791, *The Avalon Project*, http://avalon.law.yale.edu/18th_century/chr1791.asp; Treaty with the Cherokee: 1794, *The Avalon Project*, http://avalon.law.yale.edu/18th_century/chr1794.asp.

the Federal government as their strongest ally. Trade would become a weapon in the race war against the Cherokee.⁵³

By 1798 the Cherokee had relinquished all of their lands in a series of treaties with the Federal government that had been within the borders of North Carolina. In 1791 the Secretary of State, Thomas Jefferson conducted a report and noted that the United States had taken 7.5 million acres of land through a series of treaties with the Cherokee and Chickasaw Indians. This report does not include 300 thousand acres that were used to distribute as land grants to pay for military service prior to the Treaty of the Holston in 1785. This opening of thousands of acres created a new land rush and the state established hundreds of land grants that would form Haywood and Transylvania counties.⁵⁴

Land speculators and western settlers were right to support the Federal government and the Constitution that created it. They had succeeded in a struggle that had begun decades before. Through a series of treaties that gradually chiseled away at Cherokee land, controlled day-to-day aspects of Cherokee society and economy; and in doing so had made the Cherokee Nation a colony to the United States.

⁵³ “Report of the Committee, Appointed On the Second of December last, To Enquire into the Expediency of Carrying on any Further Trade with the Indians On A Capital Furnished by the United States.” February 5, 1801,” Published by the order of the 6th Congress. Jones, *License for Empire: Colonialism by Treaty in Early America*, 164.

⁵⁴ Jones, *License for Empire: Colonialism by Treaty in Early America*, 170; Lefler and Newsome, *North Carolina*, 291.

The Backcountry in the Federal Government

In December of 1789 the North Carolina House celebrated the Ratification of the Constitution of the United States and recorded in their journal that despite the defects that were present in the system, what was ratified could be utilized and repaired as needs be when flaws were discovered through time. The House also called for all representatives to remind their constituents that the political power was still in the hands of the individual citizens and predicted a future of political harmony by instructed representative to no longer divide themselves as Federalist or Anti-Federalists, nor identify an associate as such.⁵⁵

North Carolina was broken up into five Congressional Districts. The entire western part of the state was divided into a single district that was named the Yadkin Division, after the Yadkin River. The region that would become Tennessee was dubbed the Western Division. For the first Congressional session that North Carolina participated in the Yadkin Division was represented by Federalist John Steele of Salisbury. The Western Division sent the newly pardoned John Sevier, whom by this time was identified as a Democrat.⁵⁶

The Federalist takeover of North Carolina politics was fairly short lived. After the Ratification of the Constitution the state and region shifted its focus to Anti-Federalist and Jeffersonian political culture that would dominate the region throughout the early

⁵⁵ “North Carolina House Journal, December 18, 1789,” *State Records* XXI:427-428.

⁵⁶ Cheney, *North Carolina, 1585-1979*, 661; Gilpatrick, *Jeffersonian Democracy in North Carolina, 1789-1816*, 40-41.

republic.⁵⁷ John Steele's career in state politics fell victim to this shift in focus from Federalism to Jeffersonian ideology. After serving at both the Hillsborough and Fayetteville conventions he was elected to the U.S. Congress in April of 1790 and again in 1791. He failed to gain a 3rd election to the Congress and his old Anti-Federalist rival Matthew Locke represented the region in the 3rd Congress and would serve in that capacity until 1799. After this defeat Steele opted for the higher position of Senator and was defeated for that position by Republican Alexander Martin in 1792 and again in 1795 by Timothy Bloodworth, again a Republican. National prominence was not lost for John Steele, in 1796 he was appointed by George Washington to the position of Comptroller of the United States Treasury where he served until the Jefferson administration.⁵⁸

The success of Anti-Federalists in the backcountry benefitted Surry County's Joseph Winston considerably. He served in the North Carolina Senate and would serve three times in the Federal House of Representatives for the district. Perhaps his greatest achievement was dividing Surry County into Surry and Stokes County. The process began by obtaining signatures from the counties inhabitants and then Winston introduced the Bill. Not only was this necessary due to an increased population, but it also had the entire backcountry greater representation in State affairs.⁵⁹

⁵⁷ Ray, "Land Speculation, Popular Democracy, and Political Transformation on the Tennessee Frontier, 1780-1800," 162; see also, Gilpatrick, *Jeffersonian Democracy in North Carolina, 1789-1816*.

⁵⁸ Pool, "An Economic Interpretation of the Ratification of the Federal Constitution in North Carolina, Part II," 308; Wagstaff, *The Papers of John Steele Vol. I*, xxvi-xxvii.

⁵⁹ Hendricks, "Joseph Winston: North Carolina Jeffersonian," 284, 289, 291.

When North Carolina reluctantly became part of the United States, backcountry inhabitants had weighed their odds with the key issue being the protection of their personal interests. The debate was whether or not to place themselves under the guardianship of a federal government far away, and would doing so give up their own influence at the local level. What they determined was the power of this federal government could secure their individual interests, and would be far enough away to not challenge their local power. The federal government was able to negotiate treaties with the Cherokee that would take more land from them and make it available to middling farmers. As speculators and land barons became politicians they were placed under the systems of checks and balances, giving more power to the settlers they governed.

As settlers came into the North Carolina backcountry in the 1760s their concerns were obtaining secure land claims, economic and social mobility (preferably upward), and protection from native inhabitants resisting their encroachment. Immediately settlers tried to form a government that could secure these three things. Colonial authority had failed to do this effectively, so they tried to regulate it. When regulation failed they revolted against and overthrew colonial authority. They believed that state governments under the Articles of Confederation would secure these three goals, but it too failed them. State government was too weak and stretched too thin to effectively support individuals living far from its center. Although initially these settlers were hesitant to hand power over to a federal government even further away, they realized that a government drawing resources from the collective states could secure the three goals of securing land, local

power, and safety from Native Americans. By becoming part of the Federal government the goals and concerns that forced settlers to begin petitioning for change in the 1760s were achieved.

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